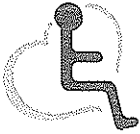


## EXHIBIT A: Legislative and charitable Deeds letters A.1-A.74

A.1-A.2	Letter from Dr. Edward Spauster 3/7/12
A.3-A.5	Letter from Gail Burns 3/5/12
A.6-A.7	Letter from Lori Lehmkuhl 3/13/12
A.8-A.9	Letter from Annie Neville 3/3/12
A.10-A.11	Letter from Seth Stein 3/27/12
A.12-A.13	Letter from Barry Perlman 4/18/12
A.14	Letter from Michael Spicer 4/13/12
A.15-A.16	Letter from the Fowler Family 3/27/12
A.17-A.18	Letter from Kate Hoelscher 3/16/12
A.19-A.20	Letter from Dr. Jim Bostic 3/6/12
A.21-A.22	Letter from Gayle Cratty 3/26/12
A.23-A.25	Letter from Deidra Spano
A.26	Letter from Armand D'Amour
A.27	Letter from Ansley Bacon
A.28	Letter from Michelle Saverse 3/19/12
A.29-A.30	Letter from Patricia Saich 3/19/12
A.31-A.33	Letter from David Rich 3/15/12
A.34	Letter from John & Brenda Fareri 3/19/12
A.35-A.36	Letter from Luis Tavarez 3/19/12
A.37-A.38	Letter from James Landy 3/17/12
A.39-A.40	Letter from Elizabeth Hodges 3/7/12
A.41-A.42	Letter from Rev. John Duffell
A.43-A.44	Letter from Kathleen Huhnel 3/16/12
A.45-A.46	Letter from Claire Dorfman 3/22/12
A.47-A.49	Letter from Maureen Kroneau 3/17/12
A.50	Letter from Steven Levy 4/2012
A.51	Letter from Joni Yoswein 3/22/12
A.52	Letter from Kathleen and Louis Cillo 3/28/12
A.53	Letter from Dennis Gallego 3/22/12
A.54	Letter from Henry Sershen 3/2/12
A.55-A.56	Letter from Richard Swierat 3/2/12
A.57	Letter from Kevin Schuler 3/7/12
A.58	Letter from Candace Intervallo 3/5/12
A.59-A.61	Letter from Rosa Metz
A.62	Letter from Ken Barrios 3/19/12
A.63	Letter from Megan Trumbull 3/6/12
A.64-A.65	Letter from Edward Doyle 3/2/12
A.66	Letter from Samir NeJame 3/5/12
A.67-A.68	Letter from Rocco Andriola 5/24/12
A.69-A.73	Letter from Dr. Edward Spauster 5/21/12
A.74	Letter from Pamela Dingee



RICHMOND  
COMMUNITY  
SERVICES

Edward Spauster, Ph.D.  
*President & CEO*

March 7, 2012

The Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas St.  
White Plains, NY 10601

Dear Judge Seibel:

My name is Dr. Edward Spauster, President and CEO of Richmond Community Services, a non-profit organization serving children and adults with developmental disabilities throughout Westchester County. I am writing because I have known Nick Spano for seven years, have the greatest admiration for his work improving the lives of citizens with developmental disabilities, and would like to encourage your consideration of his good works when deciding on the consequences for his guilty plea on tax-related charges.

I first met Senator Spano when I began my position at Richmond Community Services and have had regular contact with him since that time. During these years and long before I met him, Nick has been a great support for Richmond and a champion for people with developmental disabilities who live in Westchester County and throughout New York State. He made it his mission to understand a very complex field and carefully listen to people who have developmental disabilities, their parents and their caregivers. His leadership in the legislature on issues affecting those with developmental disabilities resulted in more and improved services throughout the state, greater public appreciation for the needs of this vulnerable population and more respect for the people who provide care. On a more personal level, Nick provided opportunities for individuals with developmental disabilities to be heard and honored by the state legislature, something that this often disenfranchised population could not even imagine not so very long ago.

Always the volunteer, Nick gave of his personal time to be part of Richmond. For more than a dozen years, he has given us his Sunday afternoons for our FunFest activities, speaking with family members (most of who were outside his legislative district). After leaving public office, Nick joined Richmond's Board of Directors. Once again, he was an invaluable resource: educating and updating his fellow board members on state trends in the field, advising on advocacy and helping the organization to network in the community.

As someone trying to lead a non-profit organization during difficult times, I am especially grateful that Nick's spirit of volunteerism really translates into tangible actions by him. He is incredibly responsive when someone needs him – answering calls and emails faster than many of my staff often do. He willingly shares information, ideas and sometimes even his own staff members. For example, one Friday

evening, I was made aware of an incident that only peripherally involved Richmond but was one that could pull us involuntarily into the public eye. It was a complicated situation because of our "bystander" status, the vulnerability of the family involved and the need to ensure that health information remains private. I wrote an email to Nick asking for advice, expecting to hear from him on Monday. Of course, I did not have to wait that long. Long before I arrived at my desk on Monday, I had been contacted by Nick and offered much more than just his opinion. Nick introduced me to a member of his staff who had expertise in my problem area and who made himself available 24/7 should Richmond need him. Thanks to Nick, Richmond was prepared to ensure that the people we serve, their parents and the organization itself were protected.

There are many ways to judge people and their actions. As a psychologist who has spent a career helping others, I can only hope that one's good works are one of the more important measures. I have seen Nick Spano in action; I know directly and indirectly thousands of people whose lives are better because he advocated for them. My contact with Nick over the years has been in an arena where he can only be selfless. He is a volunteer helping others who often can't even express their thanks to him and certainly do not have votes to give him. He makes a positive difference in their lives because he chooses to do so.

Thank you for the opportunity to express my support for Nick Spano, a multi-faceted individual whose positive contributions to the welfare of others are numerous and quite meaningful. Consideration of these in your decision-making would be greatly appreciated by me and those whose daily lives are better thanks to Nick's work.

Sincerely,

A handwritten signature in cursive script that reads "Edward Spauster". The signature is written in dark ink and is positioned above the printed name.

Edward Spauster, Ph.D.

Gail Burns  
510 Midland Avenue  
Yonkers, NY 10704

March 5, 2012

Honorable Cathy Seibel  
United State District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Dear Judge Seibel:

I have known Senator Spano for over 20 years. I was first introduced to him by my father who had know him and his family for many years. In 1991 I began working for Senator Spano part time and continued to work for him until 2006.. Over the years Senator Spano became more than a boss to me, he is my friend, my confidant, my family. There is no one I trust more or have more faith in.

Senator Spano devoted his life to helping others, no one was turned away from his office, no matter where they lived. He treated everyone with respect and compassion. Senator Spano always tried to help.

Over the years I was so proud of his many accomplishments, but I think his finest work was done as Chairman of the Mental Hygiene and Developmental Disability Committee. He had a passion for this committee, he was the voice for those who as he has said through no fault of there own were born differently than us. I wish you were able to see him interact with these children, you need only to see the looks on their faces when Senator Spano walks into the room, they love him and he loves them. I truly believe they can feel that when they meet him. They know what's in his heart. He worked tirelessly for them and to better their lives.

In 1988 Senator Spano revived Operation Santa Claus not for profit organization that had been started by Senator Condon. The organization raises money for adaptive equipment for children with developmental disabilities. I will never forget one particular piece of equipment we purchased, it was a standing wheelchair, it allowed a child that was in a wheelchair to be able to stand and wheel themselves around. The first child

that got to use this was a little boy named Jimmy, and I will never forget the look on his face when he got to stand for the first time and move around. There wasn't a dry eye in the room, the smile on Jimmy's face was from ear to ear, he couldn't speak but he didn't have to, Senator Spano had made this possible.

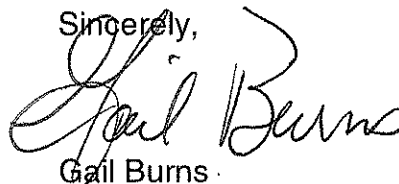
On a personal note I have seen firsthand what kind of man Senator Spano is, when a close friend of mine passed away, she left 2 small boys and no money. The family did not have enough money to bury her. Senator Spano was the first to step up and donate money to help with the funeral cost.

When my father was diagnosed with Alzheimer's disease, he was there to help me through some of the toughest days of my life, my father was always my anchor. Senator Spano became my anchor. There were times my father didn't remember my name but he always remembered Senator Spano. If I mentioned Senator Spano he would always say, oh Nick great guy. When my Dad passed away he was there for me. At my family's request he spoke at my father's funeral, because they knew how much my father admired and loved him.

Senator Spano. is a good man, a wonderful father, grandfather, son, brother, uncle and husband. He is the anchor for many. Senator Spano has spent his life taking care of others. I am proud to call him my friend.

I am aware that no one is perfect, we are all human, and we all make mistakes. That goes for Senator Spano too. While he did make a mistake, I truly feel that this mistake does not cancel all the good that he has done. I respectfully ask you Judge, to consider all the good he has done in his life and ask for leniency in your sentencing. .

Thank you.

Sincerely,  
  
Gail Burns



*Senator Spano with Jimmy*



March 13, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Dear Judge Seibel:

My name is Lori Lehmkuhl and I worked for Senator Nicholas Spano as the Director of the Mental Hygiene Committee from 1990 – 94. I am honored to have the opportunity to express my respect and admiration for him.

I have spent my entire career (now 30 years) advocating for people with developmental disabilities. Starting as a direct care worker, I was fortunate enough to have had the opportunity to work in our great political arena. Senator Spano was the Chairman of the Senate Committee on Mental Hygiene when I worked for him in the early 90's. Imagine the intimidation I could have felt working in such a place in my twenties. Senator Spano is a fair and honorable man. He would let you know where he stood on any issue and you could always disagree without the fear of any negative consequences. If you made a mistake, you would hear about it, but never was there any grudge held and afterwards it was always business as usual.

Senator Spano took a Committee, that I dare say wasn't a very high profile Committee to have, and made it known and gave families and people with disabilities the voice in the Senate that they never had before. Senator Spano wasn't just respected in his district for the work he did, he was and is respected across the state of New York for what he did for all families who had a loved one with a developmental disability, whether they were a Republican or a Democrat.

I'll always remember when one of our core programs (Family Support Services) was proposed to be cut in half. Hundreds upon hundreds of families and advocates wrote letters pleading that the monies be restored, that those modest

dollars was what enabled them to keep their loved ones living at home instead of being institutionalized (at a far greater cost I might add). In these letters, they sent pictures of their loved ones. Senator Spano looked at every picture of every individual that came across his desk. He was invited to a parent rally, where he strongly advocated for the restoration of the Family Support funding. A young gentleman in a wheelchair approached him and before he had a chance to introduce himself, Senator Spano pulled out a picture from his jacket and said "I know who you are, thank you for your letter and this picture".

I have had the pleasure of keeping in touch with Senator Spano over the past 18 years since I left the Senate and continued my career with the state. As a taxpaying citizen of New York State I ask that you take into consideration all of the positive and life changing things Senator Nicholas Spano has done for the thousands of families across the state. There are so many families that have gained so much from his contributions. He paved the road for so many and his advocacy has changed their lives for the better and the lives of young families who are now just experiencing the world of having a family member with a disability.

Thank you for your consideration and I appreciate your time.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Lori Lehmkuhl".

Lori Lehmkuhl



## Operation Santa Claus

March 3, 2012

Honorable Cathy Seibel  
United State District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Dear Judge Seibel:

My name is Anne Neville and I have known Senator Spano since he first ran in 1978 for the New York State Assembly. Back then I was very involved in the Republican Party along with my dear friend Ellie Klein. Together we worked to support Republican candidates, and we knew Senator Spano's father Leonard from volunteering on his campaign for County Legislator.

Over the years, we saw him go from the Assembly to the New York State Senate. When he took over the Mental Hygiene and Developmental Disability Committee, I watched him throw his heart and soul into this committee. Years before one of his predecessors Senator Condon, whom I knew very well had started an organization called Operation Santa Claus that Ellie Klein and I had volunteered for. The idea was to raise money for children with developmental disabilities to purchase adaptive equipment for them to make their everyday lives easier. When Senator Condon left office and passed away, in 1988 Senator Spano decided to bring back Operation Santa Claus. My dear friend Ellie Klein Chaired the committee and when she passed away I took over has Chair.

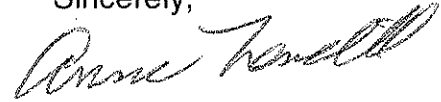
Under Senator Spano's leadership Operation Santa Claus grew, his caring and compassion for these children was inspiring and heartwarming. He is truly the heart and soul of Operation Santa Claus. I considered him a dear friend, not only to me but to all these organizations and the children. There was nothing that he wouldn't do to help them, I remember when Richmond Children's Center had lost their power, Senator Spano secured a grant for them to purchase a generator so they would never have to move their children again.

I cannot even begin to tell you how much he has done for these organizations, I can tell you that without him Operation Santa Claus will not survive. I will never be able to keep this going without his support, his passion to help these children is unparalleled and they love him as much as he loves them.

I just wanted you to know how much he means to us and what a good man he is, and ask that you take into consideration all his good work.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anne Neville".

Anne Neville  
Chair  
Operation Santa Claus  
100 Lake Avenue  
Yonkers, NY 10703



**Officers 2010-2012**

Glenn Martin, M.D.  
*President*  
*Area II Representative*

Seeth Vivek, M.D.  
*Vice-President*  
*Area II Deputy Representative*

Richard Altesman, M.D.  
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Jeffrey Borenstein, M.D.  
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Queens County District  
Branch

West Hudson Psychiatric  
Society

Psychiatric Society of  
Westchester County, Inc.

Western New York  
Psychiatric Society

Jeffrey Borenstein, M.D.  
*Editor, THE BULLETIN*

Seth P. Stein, Esq.  
*Executive Director and  
General Counsel*

**New York State Psychiatric Association, Inc.**

400 Garden City Plaza, Garden City, New York 11530 • (516) 542-0077

March 27, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

**Re: Senator Nicholas Spano**

Dear Judge Seibel:

I am writing on behalf of the New York State Psychiatric Association (NYSPA), the statewide medical specialty organization, representing over 4,300 psychiatrists practicing in the State of New York. NYSPA respectfully submits this letter on behalf of former Senator Nicholas Spano.

NYSPA members and staff had the opportunity to work closely with Senator Spano during his distinguished tenure as a New York State legislator, both as a member of the Assembly and Senate. Senator Spano is a strong and passionate advocate for individuals with serious and persistent mental illness who served as the Chair of the Senate Committee on Mental Health and Developmental Disabilities for eight years. He has worked tirelessly on behalf of persons with mental illness, working to enhance mental health benefits for children, improve access to psychiatric care for Medicaid recipients and monitor the actions of managed care companies.

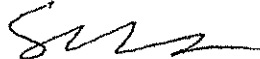
Senator Spano has championed various pieces of legislation that have directly benefited the lives of people with mental illness. He sponsored the Community Mental Health Reinvestment Act, enacted in 1993, which was hailed as the most significant piece of mental health legislation in New York State in decades. A key element of the Community Mental Health Reinvestment Act was the re-direction of savings achieved from the closure of state psychiatric facilities to support local community mental health services. Senator Spano was also a key sponsor of the Geriatric Mental Health Act, enacted in 2005, which addressed the mental health needs of the elderly by creating an Interagency Geriatric Mental Health and Chemical Dependence Planning Council as well as a geriatric service demonstration program.

In 1995, after being nominated by NYSPA, Senator Spano was awarded the American Psychiatric Association's Jacob K. Javits Award for Public Service. Named for former Senator Jacob Javits of New York, this award is given annually to lawmakers or other policymakers who have demonstrated distinguished leadership in supporting psychiatric medicine and mental health advocacy. Senator Spano was recognized for his unwavering commitment to improving the care and treatment of people with mental illness and enhancing access to necessary mental health services.

Area II Council of the American Psychiatric Association

We hope the information included in this letter will provide you with a more complete picture of Senator Spano's public service record and will serve to assist you in your deliberations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Seth P. Stein'.

Seth P. Stein, Esq.  
Executive Director and General Counsel



## Saint Joseph's Medical Center

Barry B. Perlman, M.D.  
Director  
Department of Psychiatry  
Tel (914) 378-7342

April 18, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

**RE: Senator Nicholas Spano**

Dear Judge Seibel:

I am writing as the Director, Department of Psychiatry at Saint Joseph's Medical Center. I have helped this position since January, 1981. I came to this position after serving on the fulltime teaching faculty of the Mount Sinai School of Medicine. At the time of my arrival in Yonkers Senator Spano was a member of the NYS Assembly who already had an interest in matters related to persons with mental illness. Subsequently, when he was elected to the Senate his first assignment was as Chair of the Senate Committee on Mental Hygiene and Developmental Disabilities Mental. It was from that point forward that our personal relation grew.

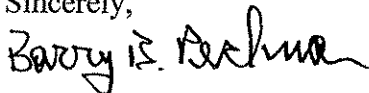
As Senator Spano had a real interest in the field but lacked knowledge of the major content areas, he reached out to me as the Director of Psychiatry in the hospital in his district with the greatest concentration of psychiatric services for our community. Going forward we spent considerable time discussing both the broad issues of importance in the field of mental health as well as focusing on those areas in which a legislative leader could make a positive impact on the lives of person suffering with mental illness. He showed concern and then leadership in advocating for the retention within the mental health system of monies which became available as a consequence of the closure of beds in the state psychiatric centers. This "Reinvestment" legislation was recognized as a nationally pioneering approach to protecting community based mental health services at a time when states across the country were in the process of downsizing their investments in mental health services for those with serious and persistent mental illness. As a result of this work, I was proud to nominate Senator Spano for the American Psychiatric Association's Jacob K. Javits Public Service Award. The award is given annually to either federal or state lawmakers who have demonstrated distinguished leadership as an advocate for those with mental illness and for their support of psychiatric medicine. He also adopted the mental health concerns of children and the elderly as areas of special interest. That interest led to his sponsorship of key legislation, the Geriatric Mental Health Act, enacted in 2005, which addressed the mental health needs of the seniors by

creating an Interagency Geriatric Mental Health and Chemical Dependence Planning Council as well as a geriatric service demonstration program.

I should also like to bring to your attention the special effort made by the Senator and his staff when constituents having family members suffering with mental illness required his assistance in negotiating the state's Byzantine mental health system. That system is a daunting one even for professionals but can seem impenetrable for those dealing with it for themselves or family members. Having the assistance of Senator Spano's office often made all the difference in making the system work better for those it is intended to serve. I believe his engagement with this population went beyond the usual level of constituent service and evidenced a high level of personal concern.

I hope the information included in this letter will provide you with a more complete picture of Senator Spano's public service record and will serve to assist you in your deliberations.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry B. Perlman". The signature is fluid and cursive, with the first name "Barry" being more prominent.

Barry B. Perlman, M.D.  
Director, Dept. of Psychiatry  
Saint Joseph's Medical Center  
Yonkers, N.Y.





# Saint Joseph's Medical Center

April 13, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Dear Judge Seibel:

My name is Michael J. Spicer, and I am the President and C.E.O. of Saint Joseph's Medical Center in Yonkers, New York. We are a 532-bed medical center comprised of a 194-bed acute care hospital, a 200-bed nursing home and a 138-bed psychiatric hospital in Harrison, New York.

I have known Nicholas Spano for over 20 years as he was the State Senator representing the district Saint Joseph's is located in. As a hospital and nursing home caring for some of the neediest residents of the State, it was important that our representative in the Senate be a passionate advocate for this most needy patient population. Senator Spano was that person. Over the years, Senator Spano worked timelessly in the healthcare arena. He was particularly interested in enhancing the care of persons with mental illness and was instrumental in assisting Saint Joseph's in expanding its behavioral health network over the years.

I understand that Senator Spano recently pleaded guilty to a tax-related charge. Although disappointed, I can only say that in my years of dealing with him it was apparent that he worked for the best interests of the people he represented. I believe the amount of good he has done over his long career should be considered.

I hope this information assists you in your deliberations.

Sincerely,

Michael J. Spicer  
President and C.E.O.

/mbp

**527 Elizabeth Road**  
**Yorktown Heights, New York 10598**  
**Honorable Cathy Seibel**

United States District Judge

Southern District of New York

300 Quarropas Street

White Plains, NY 10601

March 27, 2012

Dear Judge Seibel:

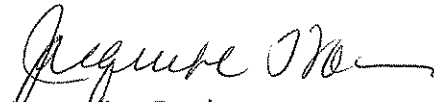
We, the Fowler family, are writing to you on behalf of Nick Spano whom we have known since the early 1990's. We first met him at a Family Support Services rally that was held at the Westchester Institute for Human Development in 1992; he was there as a NYS Senator and Chair of the Senate's Mental Health and Developmental Disabilities Subcommittee. His response to the needs of families whose sons and daughters have a developmental disability resulted not only in the restoration and increase of funding for Family Support Services but also in a personal friendship with our family and with our son Scott in particular.

Over the past 20 years, he has been a tireless advocate for people with disabilities and his work has given thousands of families the much needed support to deal with the added day-to-day stress of raising a child with disabilities. In our case, Scott, who has cerebral palsy and is quadriplegic, benefitted directly from both the family support services such as respite that he received growing up and the personal contact that Nick maintained with him throughout his career as a Senator and now when they meet occasionally at WIHD where Scott works part time.

We are also members of GROW, Inc. which is an organization that is comprised solely of volunteers who advocate for people with developmental disabilities and Nick has always been supportive of our work, especially with regard to our Ombudsman program that provided oversight to people living in group homes during the 1980s, '90s and early 2000s. As a Past President of this organization, I can personally attest to his outstanding efforts to keep the needs of vulnerable citizens as a top priority.

Given all this, we believe that Nick is deserving of leniency on a tax related charge that he is facing.


Sincerely,



Jacqueline Fowler



Walter Fowler



Scott Fowler

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

March 16, 2012

Dear Judge Seibel:

My name is Kate Hoelscher and I am the Director of Clinical Services at the Westchester School for Special Children. I have known Nick Spano since 1991, when the Westchester School moved from Harrison to Yonkers. Senator Spano had no affiliation with or knowledge of the School, yet he warmly welcomed us to our new neighborhood and became a regular visitor at the program. Senator Spano knew many of our multiply disabled students by name and attended special events including basketball games, talent shows, plays and other events to show his support and confidence in their talents and abilities. Few others have taken that kind of time and shown that level of care and concern about our kids.

During and after his tenure in the legislature, Senator Spano has been the driving force behind Operation Santa Claus, a charity that donates money to programs for disabled children and adults to purchase equipment they could not otherwise afford. The students at the Westchester School have been able to enjoy adaptive sports equipment and an outdoor basketball court due to Senator Spano's caring and generosity. Every year, we and a group of WSSC students are invited to the Operation Santa Claus Christmas Party, and the students are so excited to see him! Each one wants to be the first to shake his hand and thank him- Senator Spano is a hero to the people he served and continues to serve.

One of the most remarkable things about Senator Spano was his personal interest in the people he served while in the Senate. I recall when he was the Chair of the Mental Hygiene Committee, he visited our school many times to talk with staff, students and their parents, and administrators about how he could best advocate for them. He and his staff were always ready and willing to help a family in need of services and he always took the time to listen to and understand students who couldn't always express themselves clearly. It is almost impossible for a person who doesn't have a disabled family member to understand the daily struggles of families that do, but Senator Spano tried and always helped, even if all he could do was listen. His sincere interest and empathy always shone through and he helped our students learn to advocate for themselves.

I understand that Senator Spano has pleaded guilty to a tax related charge, but I truly believe the good he has done for his community far outweighs anything negative. I ask you to show him leniency and the same kind of charity he has shown to the people of Yonkers by representing them so faithfully for so many years. Senator Spano is clearly not a threat to the community and showing him compassion and mercy seem to me to be the right thing to do. Thank you for considering my comments, and remembering that I'm also speaking for hundreds of disabled people who cannot speak for themselves, but have nothing but love for Senator Spano.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kate Hoelscher".

Kate Hoelscher, LMSW, Ph.D.  
Director of Clinical Services  
Westchester School for Special Children  
45 Park Avenue  
Yonkers, New York 10703



342 Warburton Avenue  
Yonkers, New York 10701  
t: 914.965.0203

March 6, 2012

Honorable Cathy Siebel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plain, New York 10601

Dear Judge Siebel,

I am writing this correspondence in reference to Mr. Nick Spano former New York State Senator in the 35<sup>th</sup> Senatorial District. The Nepperhan Community Center is located in the heart of the 35<sup>th</sup> Senatorial District, and therefore have had the pleasure of working with Mr. Spano on numerous occasions. Additionally, as the Executive Director of this 70 year old community based organization, and a life-long resident of the City of Yonkers, I have known Mr. Spano and his family most of my entire life.


As our State Senator, Mr. Spano worked harder or certainly as hard as any elected official, to ensure our agency as well as others received the necessary resources to serve the thousands of Yonkers residents that frequented our facility without any interruption. There were several times when this vital community agency was on the brink of financial ruin and even without a call to his office requesting help, Mr. Spano would show up just at the right moment with resources to guarantee our agency would remain open and viable, and the thousands of children and families we serve each year would continue to have a place in their community to address their needs. Mr. Spano did that quite a few times, and never once asked for a photo opt. or anything in exchange for his generosity. One may say that was his job, but I would beg to differ. Mr. Spano demonstrated more than is expected of the typical elected official, he genuinely cared about the people he served, and their plight in life, and his actions reflected that. He internalized the problems of our community, and worked hard to help us overcome them.





On a personal note, I found Nick to be one of the most caring human beings I have ever met. I have had the pleasure of having countless conversations with Nick over the years, and I found him to be so dedicated and committed to making our community a better place to live, and the people of our community to have a much better quality of life. After decades of knowing Nike, I can honestly say that he was a remarkable public servant, and even greater human being.

The Bible says, "All have sinned and fallen short of the glory of God", however I believe when we do sin, given the magnitude of all the good in this case Nick Spano has contributed to society, we should give strong consideration to leniency when rendering your decision. I would ask the court in the strongest terms possible, to give Mr. Spano the minimum sentence possible, knowing that he has helped to improve the quality of life for thousands of residents across this great county. I am,

Sincerely,  
  
Dr. Jim Bostic Th. D.  
Executive Director

March 26, 2012

The Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Dear Judge Seibel:

My name is Gayle Cratty. I am a parent of a young adult with developmental disabilities and the Founder of a not-for-profit organization, Heartsong, Inc. I have known the advocacy work Nick Spano has provided over a twenty year period for those with mental health and developmental disabilities.

I have been involved with the State of New York's Family Support Services Advisory Council through the Hudson Valley Developmental Disabilities Service Office, a division of OPWDD (Office for People with Developmental Disabilities) and serve on many boards.

Over a twenty year period when I moved from San Francisco to New York with my husband and we adopted our two children, it became clear that the services for the special needs population was in dire need. Having founded Heartsong with my husband, out of, not just a need for our daughter, but so many children (at the time there were over 5,000 children without the supports of quality programs that could address their specific needs in Westchester County, it was Nick Spano's name that resonated throughout Westchester as the person who was working very hard to support the individuals with developmental disabilities. He strived hard to bring a voice for those unable to do so.

I am aware that Mr. Spano has pleaded guilty to a tax-related charge. I would urge you to consider all the good this man has done on behalf of the individuals across the State of New York who have better lives because of him. Nick should receive leniency as his support not only as a former legislator and community member is well known to the circle of people I know who have benefitted greatly in having their children realize a better life. I am not here to judge him but to say that for all the good this man has aspired to supporting so many for more than thirty years should not go unnoticed. Even when Willowbrook became a household name, it was Nick who strove hard to make a difference in correcting what was vitally wrong in the system. Nick has been a good friend to all who were in need!

I know that amongst many families I have come to know that Nick is well revered as someone who did his utmost to listen to those in need. He has made a difference to so many. Please consider a leniency.

We, recently through my current position, honored Nick for all he has done in the disability community. He was well received by the many that were in attendance. He was most humbled and gracious in accepting this honor and it is our hope that you will consider all that he represents to so many in such a positive way.

Over the twenty year period, I may have come in contact with Nick at events possibly twice or more, in a years' time, over the past 15-20 years (whether in Albany when I received the Woman of Distinction

Award through his office), or at community events (also through my current role as Director, Community Relations & Development at SAIL at Ferncliff Manor (a School for Adaptive and Integrative Learning at Ferncliff Manor- a residential school for children with severe developmental disabilities). It was through my board of Heartsong that an affiliation was made and we were also able to realize financial support for our no-fee music and art therapy program for children with developmental disabilities.

I hope that this letter will resonate the positive feelings that many in the disability community have for Nick and that you will consider a lenient sentence if any at all. Knowing Nick, he will continue to support those in need and I hope you will consider that aspect on his behalf. Thank you for the opportunity to write on behalf of Nick Spano.

Sincerely yours,

A handwritten signature in black ink that reads "Gayle M. Cratty". The signature is fluid and cursive, with the first name "Gayle" being more prominent than the last name "Cratty".

Gayle M. Cratty  
280 Bronxville Road, #1X  
Bronxville, NY 10708  
[gayle.cratty@gmail.com](mailto:gayle.cratty@gmail.com)  
914.462.0687 (cell)

Honorable Cathy Seibel  
United State District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Dear Judge Seibel:

I write this letter on behalf of Nick Spano and ask you for leniency in sentencing him on June 11<sup>th</sup>.

I have known Nick for 24 years. He is a man I have looked up to, and a man who has done a lot of good for a lot of people. Long before becoming his sister-in-law, I worked for Nick as a legislative staffer in his Albany office.

I first met Nick when I was a rookie reporter interning for the Legislative Gazette, a free newspaper that covers the State Capitol. One of my assigned beats was mental health and at the time, Nick was Chairman of the Senate Mental Health and Developmental Disabilities Committee. While most legislators would not give me the time of day, Nick would always stop and answer my questions. I am sure he lived to regret it on more than one occasion because I was a young college student who knew nothing about reporting -- or the legislative process, for that matter -- and I made plenty of factual errors along the way. After I graduated, I distributed my resume to those legislators I had become familiar with and Nick was the only one who took a chance on me. In 1988, he hired me at \$13,000 a year. I knew the money was bad but I figured that if I could just get my foot in the door, I would prove my worth. Needless to say, I would continue to work for him as his Director of Communications for the next 13 years. It was a job I loved, and I have always been proud of the things we accomplished -- many of which were issues that were not in line with his party.

For instance, in 1997 when rent control regulations were set to expire, Nick was one of the lone Republicans to stand in the Senate Chambers and cast his vote to extend rent control provisions, having told concerned tenants weeks earlier that he had every intention of preserving the laws as they stood. "There's nothing more important than one's home," he told them. "I understand the seriousness of the problem. Rent laws provide a critical safety net that we can't eliminate." He made good on that promise and as a result, received 24-hour protection for a three-week period after his windshield was shot out and a headless pigeon was left at the back door of his district office.

The backlash over his stance on a woman's right to choose was similar. He received hate mail and death threats, and the protestors were relentless. Although he never admitted it, I know how much it hurt Nick, a practicing Catholic, when he learned that a number of local priests were denouncing him from the pulpit, extolling the virtues of separation of church and state.

I also remember the outrage when Nick authored legislation requiring hospitals to provide rape victims with access to emergency contraception. Catholic hospitals lobbied hard against the bill, arguing that such mandates violated their religious freedoms. Under intense pressure, Nick stood firm and told them, "I was elected senator by the people of New York from all faiths, and none." Pure and simple, his concern was for rape survivors and the bill was signed into law.

Other controversial issues arose over the years -- issues like the legalization of same-sex marriage and the mentally disabled being moved out of outdated state institutions and into our communities (NIMBY), both of which would affect his career but through it all, Nick never shied away from issues that others were afraid to talk about. He was a good Senator who was passionate about the issues and above all, he always responded to the needs of his district. But my respect for Nick deepened when I would see him interact with people -- times when he didn't know anyone was watching. He would listen and empathize. He would show compassion and offer assistance, or he would lend a helping hand or a shoulder to cry on.

I remember going with him one Thanksgiving Eve to deliver turkeys to families who had been identified by the Yonkers Public School system as families in need. Maria Ortiz and her two children were on our list. She lived in a multiple-story, Section 8 walk-up. Maria greeted us at the door and burst into tears the moment she saw Nick. I don't think she could hold it in. She'd been living under unthinkable circumstances and I believe she saw Nick as a way out. Basically, she had become a prisoner in her own home. Her oldest son, Alex, was profoundly disabled and confined to a wheelchair. Her younger son was a thriving boy with no limitations. Because they lived in a walk-up, they had no way of easily getting Alex in and out of the building. Maria was desperate for help because she couldn't leave Alex alone in the apartment, and she couldn't let her younger son go out alone. She'd made numerous calls to DSS and other government agencies and gotten nowhere. After what turned out to be a long visit that night, Nick promised Maria he would find some way to help her. The next morning, he started making calls on her behalf and eventually secured affordable ground-floor housing for her, ultimately changing the quality of life for the Ortiz's. He kept tabs on them over the years and when Alex died at the age of 21, Nick attended his funeral to say his final good-byes.

I think it's also important to mention Nick's impression on the mental health community. When he inherited the Committee upon first being elected to the Senate, it became his mission to be the very best chairman he could be. He literally studied it and talked to anyone with experience who would share their insight with him. It amazes me to this day to see how people who are affected by a developmental disability -- whether it is a child with a disability or a parent caring for one -- respond to Nick. I have long said it takes someone special to be able to work with this population, and I should know. For one brief year, I worked at the Westchester School for Special Children, a private not-for-profit Yonkers-based school serving the special education needs of children with developmental disabilities, many of whom are profoundly handicapped. An incident in which a teenage boy approached me in the hall and proceeded to wrap his hands around my throat prompted me to quit. The environment was difficult and the children were a constant challenge. But the truth is that not everyone is cut out to serve that population. It requires patience, understanding, compassion and constant commitment. Nick was comfortable with the developmentally disabled, and he understood the obstacles and stigma they face on a daily basis. That's why he chose to be a champion for them ... he wanted them to have a voice in

Albany. Over the years, he has formed lasting bonds with children and families he's met at local special needs schools, community residences, former institutions and training sites. Case in point, Westchester School for Special Children graduate Jimmy Dingee is his biggest fan. Confined to a wheelchair and profoundly disabled, Jimmy still lights up like a Christmas tree everytime Nick walks into a room and I believe it's because Nick took the time to cultivate a warm and caring relationship with him and his parents, Ed and Pam.

In the weeks since Nick stood before you in your courtroom, I have come to know a very different man -- a man who knows his life is forever changed. Although he doesn't say it, I am certain he looks back on his career every second of every day and wishes he could do it all over again. But in life, there are no do-overs.

I realize Nick will have to suffer the consequence of his actions but I ask you to take into consideration the sum of his life. He gave 28 years of his life serving his community and during that time, accomplished more than most people do in a lifetime. He helped countless people and asked for nothing in return. I have to ask: Will justice really be served by having him sit in prison? That is your decision to make but I would ask you to consider other alternatives to incarceration. He is a good a decent man who made a bad decision.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Deidra Spano". The signature is fluid and cursive, with a large loop at the end of the last name.

DEIDRA SPANO  
25 Colonial Parkway North  
Yonkers, New York 10710



50 Van Wart Street  
Elmsford, NY 10523  
April 11, 2012

Honorable Cathy Seibel  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Dear Judge Seibel:

I am writing as a parent of a developmentally disabled adult who is very appreciative of all the good deeds Senator Spano had done on behalf of all the developmentally disabled in the Lower Hudson Valley.


I have known Senator Spano for thirty years and through my work as a parent advocate turned to him numerous times to secure grants and funding for services. In the early years parents had very few facilities to turn to for medical treatment for their severely disabled children who were not institutionalized. With the assistance of Senator Spano we obtained a federal grant to construct one of the best specialty medical facilities in the North East, the Mental Retardation Institute, now known as WIHD. Senator Spano's work did not stop there, he went on to secure funding for a mobile dental unit and secured a 3 million dollar grant so that WIHD could become an independent corporation and continue to function as it was in danger of closing.

Senator Spano went beyond securing funding and grants by showing a personal interest and giving of his time to attend our numerous events over the years. While not a personal friend he was an advocate who I could always call upon when there was a challenge to be met. He never failed to return my calls and discuss the issue at hand.

As you consider his future I felt it was important for me to share what I know of Senator Spano, the man. He was involved in politics but chose to help an underserved group, the mentally retarded and developmentally disabled. Those, like my fifty year old daughter, who will never vote, never make a donation and are politically powerless.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Armand A. D'Amour".

Armand A. D'Amour

Ansley Bacon  
2 Alpine Terrace  
Pleasantville, NY 10570  
(914) 741-6597

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Dear Judge Seibel,

Nick Spano has been one of the true heroes of the disability community for almost 30 years. I first met Nick at a meeting of parents of children with disabilities in the mid 1980's. I will never forget how he listened so carefully to the parents and really wanted to know their stories. A couple of parents gave Nick photos of their children and he carried them around in his wallet to "remind him why he was in public service." There was one young man, Scott, with multiple disabilities that Nick got to know from various meetings. For years, Nick called Scott on his birthday. It meant the world to Scott.

I have watched Nick as he worked tirelessly on behalf of the disability community for many, many years. I probably saw him or spoke with him about disability issues at least 10 times a year for over 20 years. He was someone we could always count on to help. He helped a lot of disability programs find funding for services, and *he never, ever expected anything in return*. He would always say "I am just doing my job." His contributions and commitment were truly from the heart.

I understand that Nick has pleaded guilty to a tax-related charge. I don't know any of the details or the circumstances. But I do know that he spent his entire career in politics working to improve the lives of thousands of people with disabilities and their families. And I also know that, over many years, I observed only the highest level of personal integrity and genuine caring. I would respectfully request that you take these points into consideration as you move forward with the sentencing. Thank you for the opportunity to express my opinion.

Yours Truly,

Ansley Bacon



March 19, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601


Dear Judge Seibel:

I am writing this letter to you in support of former State Senator Nick Spano. I have known Nick for about 10 years. In this time I have witnessed many of the charitable contributions he has made to the community. Such as Operation Santa Claus to help raise money for special needs children. This is an event that he runs every year. But I would rather tell you a story that touched me on a very personal level.

About 6 years ago my mother, Rosalie Poggio had bleeding on her brain. Do to other health issues we were not sure if she would make it. Luckily for all of us she did. During her recovery the doctors thought she had a stroke and told us that she needed rehabilitation. While consulting with doctors, nurses and friends the general feeling was Burkes in White Plains was the best in the area. We tried very hard to get her in but she was denied admission. We were all very upset because we wanted her to get the care she needed. The next day my husband was at work and ran into one of Nick's brothers who he works with. He had asked my husband how my mother was doing and my husband told him that my brother and I were on our way up to Burkes to see what we could do to get her in. In the time it took us to get to White Plains they had accepted her. It seemed like a miracle. I called my husband at work and told him the good news. When he saw Nick's brother and told him, he had told my husband that he had talked to Nick and Nick said he would make some calls to help us. But he told his brother that he did not want us to know what he did. Nick Spano took the time to help someone he didn't even know and didn't even want a Thank You. She never went to Burks because we found out that it was not a stroke and that it was bleeding around the brain and she needed a second operation. To this day he has never told us what he did for my family. He didn't want the credit for it.

This story illustrates what type of person Nick Spano is. To help a person he has never met like that shows the heart and compassion he has. I will always be grateful for his help.

Sincerely,

  
Michelle Savarese



March 19, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas St.  
White Plains, New York 10601

Dear Judge Seibel:

We are writing this letter to express our fervent hope that you will consider leniency in your judicial capacity regarding Senator Nick Spano, a long-time friend, advisor, supporter and advocate for the thousands of people with developmental disabilities and their families who live in the State of New York.

We are the Executive Directors of the School for Adaptive and Integrative Learning (SAIL) at Ferncliff Manor, which is a private residential and day school located in Yonkers serving 70 children with severe autism and other developmental disabilities. Founded in 1935 by Margaret Brady Saich, we have served in these capacities for over 40 years after Mrs. Saich retired in 1970.

During his many years in the New York State Senate, particularly in his capacity as Chairman of the Senate Committee on Mental Health and Developmental Disabilities, Senator Spano was always there for his constituents and went out of his way to offer his assistance and support to us in our efforts to improve our services to our students.

In 1992 it was Senator Spano who sponsored legislation to help us in our efforts to secure dormitory authority funding to develop a much needed new campus for our school. And although we were not ultimately able to realize this dream, he continues to this day to work to help us in our most recent new campus project.

It is Senator Spano who has for several years sponsored the Annual Operation Santa Claus benefit held in Yonkers each year to raise funds that go to local agencies serving individuals with developmental disabilities to enhance their lives – funds that are used to purchase special educational, recreational and adaptive technology devices for the children and adults with developmental disabilities. We attend this

fundraiser each year which is attended by all prominent members and office holders of the Yonkers community. Each year we bring some of our students to the event and they are thrilled to see Santa Claus enter the room giving them big hugs and talking to each one individually.

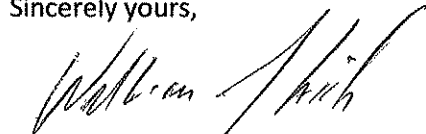
Just as another little example of Senator Spano's generous spirit and outreach to help us and other service providers: when our school was about to celebrate our 70<sup>th</sup> anniversary with very little money to spend on the celebration, Senator Spano somehow got wind of it and called to ask if we wanted him to come and speak at our reception. Obviously, he knew that it would be a very small group so he was not looking for any political gains, but sure enough he came and spoke to the gathering during a time when he had a lot of very pressing items on his busy Senatorial agenda. He graciously took his time and made us feel so important and recognized. We will always remember that kindness.

These are only a few examples of the Senator's accessibility that do not fully express his accomplishments in our field or the number of times we called upon him and were received with genuine interest and willingness to help in any way possible during difficult times.

We know that you would not be making an error in judgment if you were to consider the good works and help that he brought to his constituents and local governments in our area during his terms in public office when Senator Spano appears before you in the coming months.

Thank you for your careful consideration of these matters.

Sincerely yours,



William J. Saich  
Executive Director



Patricia O. Saich  
Assistant Executive Director

**DAVID CHARLES RICH**  
649 Prospect Street  
Maplewood, NJ 07040

March 15, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Dear Judge Seibel:

My name is David Rich. I am the Executive Vice President for Government Affairs, Communications, and Public Policy at the Greater New York Hospital Association, an association representing all of the hospitals in the metropolitan New York area. Because I am responsible for all public policy and advocacy at the Association, I have known Senator Nick Spano for many years, first when he was a Senator and Chairman of the Senate Mental Health Committee, and later, after he left the Senate, as a colleague. Senator Spano has worked with our Association on public policy matters as a private citizen since 2007. Because of that, I have spoken with Senator Spano on a bi-weekly basis since that time, and at certain times of the year, much more frequently. I am aware that Senator Spano has pleaded guilty to a tax-related charge.

Given my immense respect for Senator Spano, his legacy as a committed public servant, his commitment to the improvement of New York's mental health care system, and his courtesy and respect for all with whom he comes in contact, I respectfully request that the Court show leniency when considering Senator Spano's sentence.

My first contact with Senator Spano was in 1995, at a time when Senator Spano was Chairman of the Senate Mental Health Committee. Many of the hospitals in our association, particularly public hospitals like Bellevue and Westchester Medical Center, serve extremely mentally ill individuals. Many of these individuals have very low incomes, many of them are homeless, and very few have community alternatives to restrictive inpatient hospital care and State psychiatric institutions.

Senator Spano spearheaded legislation within the State Legislature to ensure that the State invested in quality community services for the mentally ill so that people suffering from mental illness could continue to live healthy, productive lives within their communities rather than having no choice but admission to hospitals and State psychiatric institutions. His name became synonymous with the concept of "community reinvestment," under which, if the State closed beds in State psychiatric



institutions, the savings were required to be invested in outpatient and community mental health alternatives. This issue is hardly a crowd-pleaser—it doesn't compare in voter popularity to cutting taxes, or "bringing home the bacon" in the form of a local park, or bridge, or newly-paved road. In fact, the mentally ill have very few champions, not just in the State Legislature, but in society at large. Most politicians see very little "percentage" in advocating for the mentally ill. I would venture to say that this activity brought Senator Spano very few votes; nevertheless, Senator Spano dedicated an enormous amount of time and energy in his years in the Senate to the cause of the mentally ill. For this, I respect him immensely.

In later years, I worked on many hospital-related public policy issues with Senator Spano. One of Senator Spano's most important initiatives was to sponsor legislation to require the public reporting of infections acquired within hospitals. Many hospital-acquired infections, which can be deadly, are entirely preventable; however, all-too-often, hospital administrators lacked the awareness of the seriousness of the issue within their own institutions.

Senator Spano sponsored one of the first bills to require hospitals to report hospital-acquired infections to the State Department of Health. In July 2005, Governor George Pataki signed into law Chapter 284 of the Laws of 2005, sponsored by Senator Spano and Senate Health Committee Chairman Kemp Hannon, which requires annual reporting by hospitals of their infection rates and then public reporting by the State Department of Health. In the latest annual report required by the law, issued in September 2011, the State Department of Health reported that "since 2007 the rate of central-line associated blood stream infections (CLABSIs) has fallen 37 percent and rates of surgical site infections for selected procedures fell by 15 percent."<sup>1</sup> The report makes clear that the 2005 law requiring public reporting has saved countless lives, has protected patients, and saved millions of dollars in treatments for complications that did not happen because of increased attention to infection prevention within hospitals. Senator Spano's legislation has truly saved thousands of lives and improved many thousands more.

Another initiative of Senator Spano's was to provide badly needed State funding for the Westchester Medical Center (WMC). WMC is the only public hospital in Westchester County. As such, it has the primary responsibility of caring for the poor and uninsured in the County, while simultaneously serving as the only academic medical center in Westchester and the only trauma center between New York City and Albany. Due to this, WMC is extremely challenged financially. As the only Republican Senator representing Westchester County, Senator Spano on numerous occasions worked with his colleagues and Governors of both parties to provide a lifeline for WMC—and, more importantly, for the poor and uninsured served by them.

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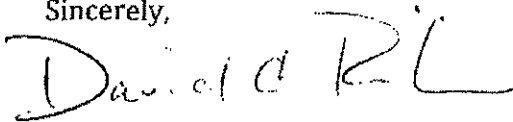
<sup>1</sup> New York State Department of Health, "New York Hospitals Continue to Make Progress in Reducing Rates of Infection," September 20, 2011.

Senator Spano sponsored many bills in the health, human services, and labor arenas that I had occasion to work on or simply know about, including legislation on domestic violence; shaken baby syndrome; early intervention services for developmentally disabled children; victims of sexual assault; reckless assaults on children (now known as "Cynthia's Law"); asthma programs for St. John's Riverside Hospital in Yonkers; organ donation; benefits for home health care workers and for direct care workers for the mentally retarded and developmentally disabled; protections and benefits for domestic workers; and protections for consumers and health care providers from abusive practices of insurance companies. Looking at the bills sponsored by Senator Spano, many of which subsequently became law, one cannot help but be struck by the theme that runs through them—protection for the less fortunate. He is certainly not the only Senator who sponsored bills on these issues; however, I contend that his consistency in this regard, as well as the sheer volume of bills he introduced on such topics, is unparalleled by his colleagues during his tenure in the Senate.

On a more personal note, I have gotten to know Senator Spano more personally since he left the Senate in 2006. He is an extremely warm individual, who cares deeply about his colleagues, his friends, and his family. When he asks how I am doing, his interest is not merely passing but genuine. I find this very rare in people who have had the Senator's background in the public square.

I thank you very much for your consideration of my thoughts on Senator Spano and his sentencing. I again respectfully ask that the Court consider the most lenient of sentences.

Sincerely,

A handwritten signature in dark ink, appearing to read "David C. Rich". The signature is stylized, with the first name "David" written in a cursive script and the last name "Rich" in a more blocky, capital-letter style.

David C. Rich



Mr. and Mrs. John Fareri  
2 Dearfield Drive  
Suite 3  
Greenwich, CT 06831

March 19, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Dear Judge Seibel:

We have had the honor of working with Senator Nick Spano.

When our 13 year old daughter died, Senator Spano reached out to us.

When we wanted to build a Children's Hospital in her memory, Nick helped us every step of the way. From helping us establish a Public Benefit Corporation in order for the children's hospital to be developed to the opening of its doors.

It is because of Senator Spano and his tireless efforts that Maria Fareri Children's Hospital at Westchester Medical Center was built.

MFCH serves over 30,000 children a year, international as well as local patients.

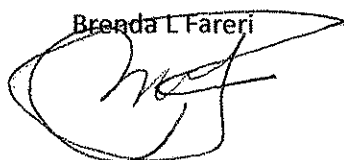
I know Senator Spano has helped not only us, but many other groups in need during his service to the community.

This is why we believe Senator Spano should receive leniency.

Thank you,



John J. Fareri



Brenda L. Fareri

**Luz Tavarez**

13 Hardy Place, Yonkers, NY 10703 \* 914.384.3079 \* [ltavarez@yahoo.com](mailto:ltavarez@yahoo.com)

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March 19, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Dear Judge Seibel:

It is with the utmost respect that I offer this letter as a formal request for leniency for Senator Nick Spano. I am aware of his guilty plea on a tax-related charge and I am proud to be able to lend my voice.

Over twelve years ago, I met Senator Spano when I began working for him in his District Office in Yonkers. I proudly served under him for the next four years, working in both his local and Albany Offices. Since then I have had several positions in government and now in the non-profit sector, but nothing has better prepared me than those years I spent working for him.

Perhaps what impressed me most about Senator Spano then, was the clear authority and power he had in Albany and the way he used that to support some of our most vulnerable residents in Yonkers, and the County of Westchester as a whole. Senator Spano's love and concern for his constituents was most evident in his support for the dignity of those with mental, emotional and physical disabilities. Even after holding several different committee chairmanships, this passion stayed with him.

I ask for your patience as I relate a story that you may hear again. During one of his yearly turkey distributions, Senator Spano visited a constituent who had a severely disabled son and had to carry him and his wheelchair up and down the several flights of stairs of their walk-up each day. That is, until this dedicated mother met Senator Spano, whom made sure she found appropriate housing for her and her son. A couple of years ago I saw Senator Spano. He told me he had just come from this young man's funeral. I was completely taken aback -- here was a man that was no longer a Senator and yet his relationship and dedication to this mother and child continued. He went on to tell me that he had even attended his birthday parties. Again, there were no press releases or photo-ops -- this was genuine care and concern for those most vulnerable among us.

Although we don't interact with the frequency that I would like, I know he is but an email or telephone call away -- always ready to support me or provide guidance needed. However, I clearly remember the last time we spent together -- it was shortly before my niece lost her battle with Leukemia. It was no surprise to me or my family that Senator Spano would make time to be with us and support us in our own time of need.

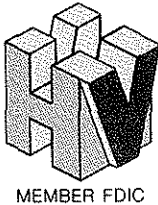
During and after his time in service to this great State of New York, I have known Senator Spano to be extremely dedicated to the district he served. I have also seen firsthand how kind, loving and giving a father, brother, son, uncle and grandfather he has been. I've often heard people say that regardless of what you have done in life, you are only remembered for the last thing you did. I refuse to accept this, for it would be a disservice to the City, County and State that have so benefited from having a leader such as Senator Spano.

For this and so many other reasons, I provide this letter of support for a great man whom I will always love and respect.

Respectfully,

A handwritten signature in cursive script, appearing to read "Luz Tavaréz", is written over the printed name. The signature is fluid and stylized, with a large loop at the end.

Luz Tavaréz



## HUDSON VALLEY BANK

21 Scarsdale Road  
Yonkers, NY 10707 • (914) 961-6100

James J. Landy  
President & Chief Executive Officer

March 17, 2012

### **Personal & Confidential**

Honorable Cathy Seibel  
United State District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

**RE: Nicholas A. Spano**

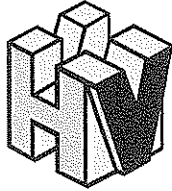
Your Honor:

I am writing to you today on behalf of Nick Spano who will be appearing before you in the near future for sentencing.

I have Known Nick for over 35 years both personally and professionally. As a community Banker in Westchester for the past three decades, I work with many not for profit community related organizations sometimes as a volunteer, Board member or even their Banker. I have front line experience with the numerous issues and challenges that face these organizations that provide the much needed safety net for those in need in our society.

Nick has always been a real partner to not for profits who serve our community, and I can tell you from first hand experience, not for political purposes but because he cares. His heart is always in the right place and he gives generously of his time and resources.

I have several specific examples where Nick personally reached out to me so we could jointly address major issues that threatened the continuation of basic services to those less fortunate. As an example, over the past 2 decades, two different organizations (Westchester School for Special Children; Richmond Children Center) both serving children with special needs, were unable to make payroll and thus could be forced to close. The primary reason was the various layers of bureaucracy in multi jurisdictions were delaying payments for services rendered. Their closing would negatively impact hundreds of special needs



**HUDSON VALLEY BANK**

MEMBER FDIC

children. In addition, the Banks these organizations were dealing with had reached their limit and were unwilling to do anymore.

Recognizing the seriousness and complexity of the matter on both occasions, Nick personally contacted me to work with him on a resolution – and it happened.

I deal with many in public service on numerous issues, but this was different. Nick was personally involved and genuinely concerned and determined as special needs children have a very special place in Nick's D.N.A.

His dedication to those in need, especially special needs children has continued after he left public office. In fact, as I sit here today writing this letter, I am preparing to go to a benefit event this evening for Ferncliff Manor, a school and residential facility for severe special needs children in which Nick is the benefit honoree. This organization is recognizing him for continuing help to them and providing free assistance to develop a new facility. Even after his tax matter became public, Nick continued his commitment to help. To me, that shows his dedication and character.

Your Honor, Mr. Spano has acknowledged that he did wrong in the matter before you, but as you see, he has also done many more things right. We in Westchester are the beneficiaries of his generous spirit and good deeds and I am hopeful that you take the whole picture of Nick Spano into consideration in your judgment.

Nick shows that he continues to do good for our community and he can continue that good going forward.

Thank you for your consideration of my thoughts.

Very truly yours,

A handwritten signature in black ink, appearing to read 'James J. Landy', written over the typed name.

James J. Landy



Elizabeth Hodges  
25 Rose Hill Terrace  
Yonkers, New York 10701

March 7, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Dear Judge Seibel:

My name is Elizabeth Hodges and I currently reside at 25 Rose Hill Terrace Yonkers, New York. I am 77 years old. My husband, John Hodges Sr. is deceased. He died 2 years ago from complications of Leukemia. My husband and I have been Yonkers residents our entire married life of 53 years. We raised 4 children all of whom are or were Civil Servants.

Being residents of South Yonkers and having our children be part of sports organizations we became friendly with Nick Spano and for that matter, his entire family. Nick Spano is probably the nicest and most well intentioned man I have ever met. He is the consummate gentleman and a family man. Nick Spano was only a young man when my husband and I met him; he was only an aspiring politician. I only wish that my late husband was here with me, to assist me with this writing. My husband adored Nick Spano and was very thankful for the many times that Nick was able to assist us.

Many years ago when Nick was a freshman Senator there came a time when my husband's identity was stolen. The person who stole the identity struck a pedestrian in Queens with a motor vehicle and there was a pending civil suit. Several agencies, including law enforcement agencies were unsure of how to handle the situation. Nick Spano came to our rescue and was able to speak with representatives from the Motor Vehicle Department. They were able to find inconsistencies with phony documents and my husband's name was cleared. Nick Spano worked diligently on our case, without fanfare or any desire for recognition.

In 1990 a fire broke out in the building we lived in at 76 Caryl Avenue. The fire was started by a young child who was playing with matches. The entire structure was lost and we along with approximately 20 other families were left temporarily homeless. This was a devastating time for me and my husband. Our children were all married and moved

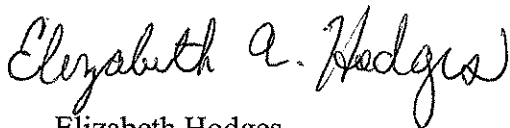
away at the time. Although they were all willing to take us into their residences, Nick Spano, without being asked, came out to the fire, visited families in the hospital and made sure that we all received immediate help and shelter.

These are but a couple of wonderful things that Nick Spano has done for me and my family. I am indebted to him for his selfless love and care for me and my family. There are very few genuine people in this world. I believe that Nick Spano is one of those people. I think of Nick Spano and I see a man with a caring attitude and a sincere smile.

I understand that Nick Spano violated the law and that cannot be tolerated or mitigated, but I don't believe that he should be subjected to jail time. My humble opinion is that Nick Spano has done so much good for so many people; he should remain a free man. Let him continue to help many other people as he has helped me.

Thank you for hearing my plea and I remain available for any other questions or comments you may have.

Sincerely Yours,

A handwritten signature in cursive script that reads "Elizabeth A. Hodges". The signature is written in dark ink and is positioned above the printed name.

Elizabeth Hodges

Honorable Cathy Seibel  
United State District Judge  
Southern District of New York  
300 Quarropas St.  
White Plains, NY 10601

Dear Judge Seibel:

My name is Father John P. Duffell and I am the pastor of Ascension Church located on the west side of Manhattan. Prior to this assignment, in 1981 I was appointed the pastor of Saint Peter's in the southwest part of Yonkers and to this day, I serve as he Chairman of the Board of St. Peter's Child Care and as a founder of The Sharing Community, both in Yonkers.

It was there, in Yonkers, almost 32 years ago that I first met Nick Spano, a man who I hold in high regard. He was the young Assemblymen representing our district, which he did effectively. When Senator John Flynn announced his intention to resign from the Senate, Nick ran for that office and was elected.

Both as our Assemblyman and as our State Senator, Nicholas Spano served the people of his district very well. In my opinion, he demonstrated real leadership in terms of meeting the challenges that faced the peoples of his district. I knew him to be a person of integrity, open to learning new things, ready to investigate the problems that people had and willing to work with others to arrive at effective solutions.

Let me offer a telling example: when the newly-elected Senator Spano was appointed chair of the subcommittee on mental heath, he asked myself and my Episcopal priest colleague, the Reverend Bert Ulrich, if we would bring together people active in the care of the mentally ill to meet with him.....he wanted to learn. The meeting took place at St. Peter's Rectory and Nick listened carefully and all there were struck by his seeming willingness to learn; but there was some skepticism. Senator Spano asked if we would be willing to meet again in two months and all agreed.

**The Church Of The Ascension**

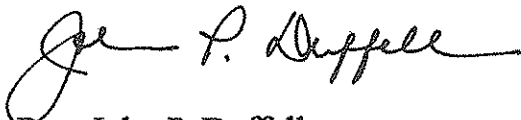
221 West 107th Street, New York, New York 10025  
Telephone (212) 222-0666 • Fax (212) 961-1086

At that second meeting, there was delightful surprise as he spoke of his visits to the various Mental Health institutions and programs that we had discussed and his obvious ability to appreciate the problems and the need for state action. It is hard for me to imagine a more effective advocate in state government for the proper care of those who suffer mental illness than Senator Spano. Nor, in my opinion was there a more effective advocate for the people of Yonkers and all of his district. It always appeared to me that Senator Spano cared for the dignity of the human person and saw himself as a servant of the people of his district.

I was shock and disappointed to learn of Senator Spano's mistake. I was impressed by his willingness to accept responsibility for his actions and confess his guilt. I think he's suffered greatly in terms of the public humiliation that he has known. I hope that incarceration is not thought necessary.

Your Honor thank you for your consideration of my words. Should you wish to discuss this further, please feel free to call upon me.

Sincerely,

A handwritten signature in cursive script, appearing to read "John P. Duffell".

Rev. John P. Duffell  
Pastor

1 Beverly Road  
Yonkers, New York 10710  
March 16, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Sstreet  
White Plains, N.Y. 10601

Dear Judge Seibel:

My name is Kathleen Kuhnel, I am employed for the last thirteen years by the City of Yonkers in the Department of Waterfront. I have also been active in the Community as President of the Homefield Association for the last nineteen years, past board member of the Untermeyer Performing Arts Council for over ten years and Treasurer of the First Precinct Council for several years.

I am aware that Nick Spano has pleaded guilty to a tax related charge but I am hoping that you will show leniency towards him when he is sentenced in June.

I have known Nick Spano for over thirty years. My first dealings with Nick were when I was Site Manager at the Parkledge Apartment in Yonkers. Parkledge was a State subsidized building and whenever my tenants had problems they would always go to Nick for help. He was an Assemblyman then. He was always ready to assist them and always spent as much time as needed to solve their problem. He was always so respectful of them and showed such care and concern for them.

When Nick was Senator he helped the Homefield House secure a grant to do needed work at our Community House. He was instrumental in securing the grant and the money was put to good use to improve our house.

On a personal note, my family and I will never forget how Nick helped us with my mentally handicapped cousin, Brian Lyons. My cousin was living with his Mom, my aunt. His father had passed away and his Mom was so concerned what would happen to him if something happened to her. I knew Nick was very involved with the Mentally Handicapped so I asked him if he could help us find a Group Home for my cousin. He gathered all the information he needed and pursued all avenues to try to secure a permanent place for my cousin. Nick was able to get him placed in a Group Home. It gave his mom such peace of mind to know that Brian would be taken care of. She died very suddenly about two years later and it was such a blessing that Brian was in a place which would see to his needs for the rest of his life.

I am very grateful to have Nick as a friend for all these years and it has always been nice to know that I could always count on him if I needed help with something. I hope by

reading this letter it will shed some light on the good things Nick has done and you will consider them in making your final decision.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Kathleen Kuhnel".

Kathleen Kuhnel

Claire L. Dorfman  
333 East 34<sup>th</sup> Street, #3N  
New York, NY 10016

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March 22, 2012

The Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Dear Judge Seibel:

I am writing this letter on behalf of Senator Nick Spano, who I have both the privilege and honor of knowing since 1999 when I began working for the New York State Legislature. From 2001-2006 I worked on his staff directly, and from 2006 to present he was hired as a consultant at my current place of employment.

I can personally affirm that he is a hardworking man of integrity and honor, who took great pride in representing the residents of Westchester County. While working for him I was proud of the policy issues that we tackled and the camaraderie that we shared as staff members, all working to advance legislation and programs that would help the lives of countless New Yorkers.

There is one population that Senator Spano cared immensely about – New Yorkers with special needs. To this day I have never seen anyone who worked so tirelessly on their behalf. I remember one year in particular when the New York State budget was not going to be passed on time, which would have resulted in funds to non-profits being delayed - in particular a group that provided dental services to disabled children. Shamefully, I had never contemplated how a family with a special needs child found such services, but Senator Spano was working the phones and conducting outreach to make sure that services such as these were not delayed or became a casualty of budget negotiations miles away.

Although I did not work for Senator Spano when he Chaired the Mental Health Committee in the Senate, this population continued to be his number one priority even when he chaired the Labor Committee, and later the Taxation Committee.

I recall another occasion when a group of people with disabilities came to the State Capitol to visit with elected officials. It was a very busy day with thousands of people visiting Albany to advocate for a variety of issues. New security requirements made entering the Capitol cumbersome for anyone. Senator Spano was on his way to session and saw a group of people with disabilities having trouble entering the building. He immediately handed his paperwork off to his staff and ran over to speak with security and make sure that the group was treated with the dignity and respect they deserved, and that they received help entering the building. These were not his constituents. He had no idea who they were. But at that moment the most important thing was ensuring that they were assisted and acknowledged.



While these are small gestures, they are exactly the actions that personify Senator Spano. They embody why I was so incredibly proud to work for him, and why I am honored to this day to call him both a friend and a mentor.

After leaving his staff to pursue a career in the private sector, I maintained regular communication with him and know that I could always rely on him for guidance and mentorship – working for the Senator essentially means becoming part of his family. And he would have it no other way.

I thank you for taking the time to read this letter, and should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Charlie Ruffman". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Maureen Kronau  
628 Snyders Corner Road  
Poestenkill, New York 12140

March 17, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Dear Judge Seibel:

My name is Maureen Kronau, I have worked with Senator Spano for 25 years. I worked with the Senator during his entire NYS Senate career and I work with him now in his lobbying firm.

I am aware that Senator Spano has pleaded guilty to a tax related charge and I believe that is nothing to take lightly but I would like to ask you to consider leniency in your decision.

I have first hand knowledge of many wonderful things that Senator Spano has done over his career – some things that would never make a newspaper headline. Things that the Senator would have done for someone or their family just because his heart is bigger than anyone else's I know. I have been his personal assistant for many years and have seen the lives he has touched, if it was to make sure a family had food on their table, or to make sure a family got that last family vacation due to a parent having a terminal illness – Senator Spano would make sure it happened – that wasn't part of him being an elected official it was just his way always wanting to help people. There were times we would be at an official Senate function and the Senator would see someone who would tell him about a personal issue that they had – later in the day the Senator would come to me and say he wanted to make sure that family had food or the oil tank would be filled or their prescription was filled and he would personally pay for it and he didn't need anyone to know he just wanted it taken care of.

In his Senate career he also was the Chairman of the Mental Health and Developmentally Disability Committee – I remember when the Senate first gave him that chairmanship he thought I don't know anything about that –It wasn't a committee many Senator's "wanted" so Senator Spano being a freshman Senator they assigned it to him - it didn't take long and he realized that maybe he was given this committee to chair for a reason because he could make a difference in people's lives – and that he did – time and time again he would enact legislation that would profoundly change the lives of people many who didn't have a voice – Senator not only introduced the legislation and made sure it passed but he would personally spend time with the folks that had developmental disabilities and interacted with

them to the point where many became personal friends and they would reach out just to talk to the Senator and ask him to visit them and he always did. I can remember a mom calling and saying my son Alex is having a birthday party and only wants Senator Spano to come – I know he is busy, she said and I understand if he can't be there but I promised my son I would ask – I said Mrs. Ortiz- Senator will be there he wouldn't miss Alex's birthday and Senator Spano would attend I think it was the best birthday present Alex ever got you could tell by the smile on his face. Unfortunately, Senator Spano also attended Alex funeral a couple years back – It was heartbreaking for Senator Spano he had formed a very good relationship with Alex and his mom even when he no longer chaired the Mental Health Committee, no longer in office he stayed connected because he truly cared.

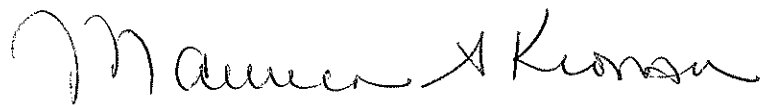
Then the Senate Majority assigned Senator Spano a commission – the Solid Waste Commission – I again remember the Senator saying what am I suppose to do with this commission – but in Senator Spano fashion – he jumped into that commission with both feet – he first closed the commission office and moved all the staff into our Senate office so he could get to form a relationship with all the staff he had just inherited and let me tell you the staff was not happy – but in typical Senator Spano fashion he quickly formed many new friends – friends he still has today and with those new friends he worked hard to come up with environmentally sound legislation that would help NYS out – not only did he do great things but he invented a statewide program called IM-A-GREEN-NATION – a statewide recycling program for school kids – he brought kids in from all of NYS to Albany to display their recycling products and then gave them an opportunity to see the Legislature in person and get a full understanding on how it works – it was a huge undertaking and our staff worked days, nights, weekends for a month- Senator Spano was there every minute of every day working side by side with us to get IM-A-GREEN-NATION off to a great success – so much that they still do it today in the State Legislature. It is just another example of the heart and soul Senator Spano puts into everything he gets involved in and not just his constituents – Statewide.

Many nights in the legislature we would work for all hours of the night –Senator Spano would call me and say I want to send food to the staff – not our staff he meant the NYS Senate counsel office, the Senate Finance office, the IT office the, the Senate Communications office – he would pick a different department and he would have food sent to them- he was the ONLY Senator that ever did that- he also would throw the senate staff a end of the year BBQ at his apartment in Albany to thank them for their hard work and help all year – again he was the ONLY Senator who did that. Senator Spano always looked out for the underdog – it didn't matter if you were republican or democratic, black or white, young or old if he could help he would help – You could ask any Senate messenger, elevator operator, kitchen staff at a local restaurant or Coat check person and they know Senator Spano and he knows their name and most likely a little bit about them and their family he always would stop and take the time to make every one feel important and still does to this day.

Senator Spano sends birthday cards - hundreds of cards a year, to former staff people, members of the legislature, clients, friends, board members and people he has become friendly with over the years –it started many years ago when he was in the Senate as a nice gesture he

would hand write a note to a member or staff person and as time when on his birthday card list got longer and longer because he never takes off a name he just adds even now he sends to former staff, former members of the legislature, former clients, people who he had meet during is Mental Health chairmanship but hasn't seen in years – he still hand writes a note to each one just to make sure they now someone is thinking of them on their special day I can't tell you how many times people have said "thank you" for that card you're the only one that ALWAYS remembers.

Judge, I could go on and on to you about things Senator Spano has done and still does today he is a very caring and compassionate man. He has done so much good over his life time that I do hope you consider everything he has done in your decision. We need more people like Nick Spano he has a heart of gold. Thank you for time and consideration.

A handwritten signature in cursive script, reading "Maureen A. Kronsau". The signature is written in dark ink on a white background.

**STEVEN J. LEVY**

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April 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Dear Judge Seibel:

My name is Steven Levy. I am a former employee and, more importantly, a personal friend of Nick Spano. I have known Nick for nearly two decades, dating back to when I was a college Intern in his Albany State Senate office. During our professional and personal relationship, Nick has been my mentor and my compass, and he has been like a father to me.

There are countless examples that exemplify Nick Spano's commitment to community and true compassion for others, but there are two instances that have left a lasting impression on me.

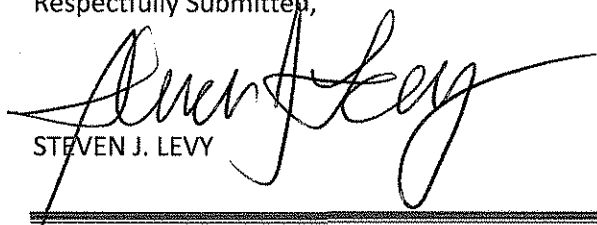
As a young legislative aide, I'll never forget the year that a local family wrote to Senator Spano asking for help. They just couldn't make ends meet and were unable to buy Christmas presents for their family. Nick, one of the most generous people I've ever met, bought the entire family tons of gifts and delivered them right before the holiday. While they were certainly appreciative, the young boy mentioned that what he had really wanted was a Nintendo game system. Now, for someone who may have been just going through the motions to do what looked good, I imagine they wouldn't have given this additional request a second thought. But not Nick Spano. Nick went out that same day and bought the child Nintendo. It's just one example of his kind and giving nature.

We had another extremely special constituent who was living in a walk-up apartment and taking care of her disabled son. This inspiring mother would carry her grown child up those flights of stairs every day; a herculean effort by a dedicated mother. When Nick learned of this situation, he didn't give lip service, he acted. He worked tirelessly to actually find this mother and son a first floor, subsidized apartment to live in and ensure that they had the assistance they needed. It's an inspiring example of Nick's work in the community, and certainly above and beyond the call of a state legislator.

In all the years since I was that young Intern, I have never encountered someone professionally or personally that can match Nick Spano's sheer devotion to the community, his family and his friends.

Nick has dedicated his life to public service and has changed countless lives for the better as a result. He has been both an exceptional legislator and a positive influence on those around him. I hope that this brief letter provides some perspective on Nick Spano as I know him.

Respectfully Submitted,

  
STEVEN J. LEVY

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75 Livingston Street, 25<sup>th</sup> floor  
Brooklyn, NY 11201

March 22, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Dear Judge Seibel:

I am writing on behalf of former New York State Senator Nick Spano. I first met Nick 25 years ago when I was an Assembly staffer and he served in the Assembly. I was taken by his honesty, humor and dedication to his job.

While his legal troubles are deeply disappointing to his family, friends and former colleagues, I am writing this letter in hopes that you might become aware of the totality of his many decades of public service and recognize how his leadership has greatly enhanced the quality of life for his constituents and indeed all New Yorkers.

Nick never abandoned his deep-seated commitment to helping others, whether it was as Chair of the Senate Committee on Mental Health, or as a private citizen raising money for many charitable organizations. I can't tell you how many times my husband and I would attend an event on behalf of Juvenile Diabetes or Operation Santa Claus and there was Nick along with his family and friends lending support. Nick knew how to use his charisma and leadership skills for the greater good and so many people were inspired by his good deeds and helped by his generosity.

Knowing Nick, I am confident he will face your decision with dignity. I just hope that you can appreciate his service to the people of New York.

Sincerely,



Joni A Yoswein

45 Park Avenue  
Ardsley, N.Y. 10502  
March 28, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, N. Y. 10601

Dear Judge Seibel:

We have known Senator Nick Spano for many years and first got to know him through his work with "GROW" (Group Residents of Westchester), a Westchester County parent advocacy group for the disabled. Senator Spano was always an avid advocate for the disabled, this being near and dear to our hearts because we have a daughter with Prader-Willi Syndrome.

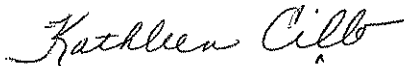
For many years the Senator served as Chairman of the Mental Health Committee, where he presided over passage of landmark legislation to close down outmoded institutions in favor of community-based care.

For this reason, when our daughter was in crisis - her weight reaching 159 lbs. (she is 4ft 6in. in height) and her placement inappropriate and inadequate to meet her special needs, we contacted Senator Nick Spano and began working on a group home. We worked diligently for over four years with OMRDD. Senator Spano was very dedicated and committed to our project from its inception and never turned his back on us no matter how busy he was.

The fruition of our dream happened when a group residence for our daughter and four individuals with Prader-Willi Syndrome was opened several years ago in Carmel, New York. This could have never been accomplished without Senator Spano's assistance.

We are asking you, Judge Seibel, to look at Senator Spano as a good person who has been involved in government and community since 1978, when he was first elected to the Assembly. We are aware that he has pleaded guilty to a tax-related charge but we respectfully request leniency and ask that you consider the many notable accomplishments he has made during his career and the many people, like ourselves, that he has helped when faced with a very difficult crisis in their lives.

Sincerely,



Kathleen Cillo



Louis Cillo



March 22, 2011

The Honorable Cathy Seibel  
Brieant Federal Courthouse  
White Plains, NY 10601

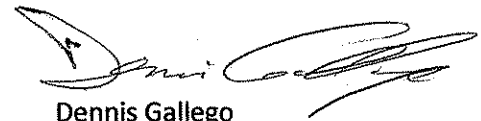
Honorable Seibel,

In regards to the case against Nick Spano, I would like to relate my interaction with this man.

When my daughter was diagnosed with terminal breast cancer at age 33, the only thing Mr. Spano asked was "What do you need and what can I do", this is the nature of the man about to be sentenced. When my daughter passed away October 13, 2011, Mr Spano called and again asked " Is there anything you need or something I can do for you or your family". God forbid you should ever be in this situation, but knowing that you have a Nick Spano in your life may help alleviate your pain.

I am confident, mine will not be the only letter with this same theme running through it, in regards to Mr Spano.

In this financial matter concerning Mr. Spano that is before you, I can only ask that you let Lady Justice peek out from under her blindfold and see the man before her, because to sentence Mr Spano to a prison term would truly be a crime.



Dennis Gallego

37 Bronxville Glen Dr

Bronxville, NY 10708

March 2, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas St.  
White Plains, NY 10601

Dear Judge Seibel:

I am writing as a Yonkers resident and Research Scientist who is currently working at a New York State research institute (Nathan Kline Institute), developing treatments for psychiatric disorders. I have been working in this department for over 40 years, so had come to know Senator Nick Spano during his tenor as Chairman of the State's Mental Health committee and as our local Senator. I have recently read that Senator Spano had pleaded guilty to tax-related charges, which has been reiterated many times in the local newspaper, and together with other unrelated stories with innuendoes that appear to cast his character in the negative; to which, I felt that someone needed to present a more realistic side of the Senator.

I can personally express my gratitude for his long-term commitment to the treatment of those with mental illness. I have known the Senator for over 25 years, many times going up to Albany to lobby either on behalf of our institute facing budget cuts or on behalf of providing continued support for the treatment of those with mental illness. He was always there to help, to guide us through the Albany machinations. He has saved our institute at least 2 times when facing draconian budget cuts or even elimination. I can remember one budget year, when as Chairman of the Mental Health committee, the Senator held up the whole state budget until a provision of 'reinvestment' was included in the final budget-to provide money for the community when mental health hospitals/wards were closing; to provide support for the patient after release from the hospital. He has always been unselfish in his support of those with developmental disabilities, sponsoring a local 'Operation Santa Claus' in Yonkers for many years to raise money for local care homes. He has always been a good friend to those less fortunate, fighting for providing decent care, many times even in the face of 'not in my backyard.' Yes, the Senator was a strong figure up in Albany, for that I thank him.

I don't envy your position to be able to decide the fate of someone's life. Hopefully, however, you will consider 'all sides' of the Senator when you make your decision on the case at hand, and consider offering some leniency.

Sincerely,



Henry Sershen, Ph.D.  
Research Scientist VI (Nathan Kline Institute)  
Research Assistant Professor, Dept. Psychiatry (NYU Langone Medical Center)  
1 Robertson Place  
Yonkers, NY 10962  
Tel: 914-961-7132

Richard P. Swierat  
1 Marcella Boulevard  
Hopewell Junction, NY 12533  
845 489 6626

March 2, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, N.Y. 10601

I have known Nicholas Spano since mid 1980s. I am an advocate and service provider for people with developmental disabilities in Westchester County. Nick Spano served as the New York legislative representative for the legislative district in which I support people through a wide variety of programs which support families and individuals with developmental disabilities. In addition, upon leaving office, I occasionally contacted Nick for his guidance and opinions regarding legislative issues and other matters related to services and supports for people with developmental disabilities. My contacts with Nick would vary between weekly and monthly depending on the issues and scheduling of legislative meetings.

I am aware that Nick Spano has pled guilty to a tax related charge. While this is a fact, my relationship and knowledge of Nick is one of an honorable individual with a commitment, passion and genuine concern for people with developmental disabilities and their place in our community. I accompanied Nick while he would speak with parents of people with disabilities, self advocates or people with disabilities, staff and board leadership about the importance of their lives and give them strong and clear advice about how to use the legislative platform to make a difference in their lives. Nick has been a strong legislative advocate with many laws and initiatives which are attributed to his leadership and guidance.

Last year, Nick was addressing a room of parents of people with developmental disabilities when he departed from the formal remarks to tell a story. He was pointing out the importance of the personal contact and understanding a legislator needs to relate to the impact of the legislative process on the lives of the constituency. He told the audience that when he left office, the last item he removed from his desk was a number of pictures of people with developmental disabilities who had visited his office over the years. He remarked that these pictures reminded him of his obligation to serve on behalf of people who may not have a strong presence or voice in the political process. Nick always spoke about this obligation as a strong basis for his desire to be a representative of the people.

My knowledge and relationship with Nick Spano is as a person of passion and dedication to strong values related to people. I have always valued his opinion and advice related to the issues affecting the lives of people with developmental disabilities. He provided me with honest and clear advice. Further I valued his friendship as a colleague who shares my interest in supporting people with developmental disabilities in our community. I feel that Nick does this, not for political gain, but as a true member of our community who cares about people.

Page 2

I share these thoughts with the court to provide another picture of Nick Spano. I would hope the court would take into account these reflections on Nick's life and provide some leniency in consideration for all the contributions Nick has made on behalf of our community.

A handwritten signature in black ink, appearing to read "R. Swierat", followed by a horizontal line.

Richard P. Swierat

March 7, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas St.  
White Plains, NY 10601

Dear Judge Seibel:

I have had the pleasure to know Senator Spano for more than 15 years and worked on his Albany staff for two years in 1998 and 1999. The purpose of this letter is to encourage leniency for Senator Spano in his sentencing.

I firmly recognize his guilty plea on tax-related charges but his grievous error in judgment should not be the sole defining moment of a career that has been spent working for the public good. If you asked the average political-type in Albany about Senator Spano they would mention the level of influence he was able to exert in negotiations, his keen political acumen and his role as someone who could bring parties together to forge compromise – all very true, but there is so much more to the man.

To really know him is to have seen those with developmentally disabled children hugging him for his ground-breaking legislation. I remember him telling me that his time as Chairman of the Senate Committee on Mental Health and Developmental Disabilities was by far the most rewarding of his legislative career. I believe he thought he was the powerful voice for a group that did not have one.

When I worked for him, he chaired the Senate Labor Committee. Now, most would think that such a committee would be all about organized labor. But during Nick's tenure, he brought tremendous attention to the lack of rights for migrant farm workers. The Senator passed legislation to greatly improve working conditions for these workers. Much like above, I believe the Senator took it upon himself to become a powerful voice for a group of workers that sorely needed one.

But not only was I able to see the compassion of Nick Spano, I was able to experience it. My father, at the age of 55, had a surprise stroke in 1999 while I was working for the Senator. I was downstate at the time when I got word and needed to get back to Buffalo. The Senator did everything possible to help me get home quickly and then was completely accommodating to my need to be away from the office for extended periods of time.

When I decided I needed to move back to Western New York to be close to family, Senator Spano was instrumental in helping me find a new job and helping me transition. It meant a ton to my family and me at a very difficult time.

Nick and I have remained friends during these intervening years and cross paths in Albany during the legislative session. I know he is a good man at heart who has committed a terrible mistake. I implore you to take into account a lifetime spent in public service and consider leniency for Senator Spano.

Sincerely,



Kevin C. Schuler

Candace Intervallo  
37 Greenwood Road  
Yonkers, New York 10701

March 5, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Dear Judge Seibel,

I am writing to you to speak of former Senator Nicholas Spano. I am a resident of Yonkers, NY and was born, raised, and raised my family here. I am aware that Mr. Spano has pleaded guilty to a tax related charge and I was deeply saddened. I am sad because this is a wonderful person who over the years has done so much good for the area he represented and for those less fortunate.

Twenty five years ago, I didn't know the senator, but my husband's family and the Spano family were from the same community. My family was struggling with making ends meet, having four children. My husband decided to write to Legislator Spano and ask for help finding employment. Mr. Spano and my husband weren't close friends, or any other type of relationship. None of this mattered; because Mr. Spano saw a family struggling and wanted to help. My husband was able to secure a job through his help and I will always remember his generosity.

I have followed Senator Spano's career over the years; and it has been very clear to me that he never stopped helping others, especially those less fortunate.

I am quite sure Mr. Spano is suffering deeply right now, and I believe that because of all he has done to help others, he deserves leniency.

Thank you for listening.

Yours truly,

A handwritten signature in cursive script that reads "Candace Intervallo". The signature is written in dark ink and is positioned above the printed name.

Candace Intervallo

Dear Judge Seibel,

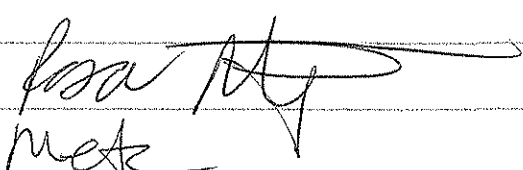
My name is Rosa Metz, I am a friend of Nick Spano. I am aware that Nick has pleaded guilty to a tax related charge. I have a son that was born premature 2lbs 4oz. on March 10, 1992. He had six operations March 10, 1992. Dimitri ~~had~~ had six operations and was discharged from WCMC @ 4lbs 8oz. with 16 specialist Doctors appointments. He had qpts at Blyssdale's Children Hospital, WCMC, + St Agnes. Dimitri was diagnosed with PDD (Pervasive Development Disorder). He is Autistic. I met Nick when Dimitri was about 6 years old. I was having a problem getting him the services he needed. I contacted Nick's office + informed him how concerned I was about my sons education. He didn't even hesitate. I remember the conversation like it was yesterday. He said "what do you need me to do?" He didn't ask me ~~if~~ I voted for him or what my nationality was. I was shocked. I ~~then~~ told him what I needed for my son. He wrote the letter for me to bring to the board of education.



②  
~~the~~ CSE meeting + he also called. The School District couldn't meet my sons needs + they didn't want to pay for my son to go at a district. My son also needed a 1:1 aide, because the teacher would allow him to go to the bathroom by himself + he would get lost + I would receive a phone call that they couldn't find my son. This was a very traumatic experience for me, because they would sometimes find my son wandering off the school grounds. A 7 yrs old at a 4 way intersection, he could have gotten killed. I called Nick's office again + informed him what was going on. In total I think he wrote 3 letters + made numerous phone calls. I am in tears writing this letter because I think Nick saved my sons life. ~~though~~ Dimitar was able to participate + play baseball on the Miracle League Baseball team because of Nick's concern for special needs children. I am a Christian and I believe the God put Nick in my sons life. Nick is a humble, kind, caring man, and I truly believe that what he did

③

For my son Dimitri was from his heart. I know Nick is a ~~good~~ Christian and know that God is a ~~man~~ of second chances and forgiveness. <sup>your Honor</sup> I am asking that you show leniency on my dear friend Nick Spano. Because of Nick Dimitri Metz was able to get the Education that he deserved & to be all he can be. Dimitri is 20 years old, in his 2nd year of college @ The Bowers Tech Center in Valhalla, NY. He works 2 days a week on campus. He attends church on Sunday mornings as well as ~~Sund~~ Sunday School before church service.

Sincerely,   
 Rosa Metz  
 914-433-6537  
 137 Sickles Ave  
 New Rochelle, NY 10801

KEN BARRIOS  
8 STEPHENS LANE  
VALHALLA, NEW YORK 10595

March 19, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Dear Judge Seibel:

My name is Ken Barrios. I am an over twenty-five year member and past president of the North Yonkers Boys and Girls Club. I am also a past Board Member of the North Yonkers Preservation and Development Corporation. These two organizations focus on helping the two most vulnerable groups in our society (our youth and our senior citizens). They also share a broader goal of helping any and all families within our community.

Senator Spano has played an integral part in all our accomplishments. He has worked side-by-side with us to insure that we would be able to deliver vital services to our community free of charge. He helped us apply for grants to help keep our buildings structurally and physically safe and up to code. The grants also helped us to keep our programs available to our community. Sen. Spano was a constant presence at all our opening day celebrations, awards breakfast/dinner, community forums, fundraising events and much more. Everyone in our community knew who Sen. Spano was. They recognized him not because he was on an election poster or on a T.V. ad, but because he was always there in person for our community.

I am aware that Sen. Spano has pleaded guilty to a tax-related charge. Please consider Sen. Spano's record of service to the North Yonkers community, our other communities, and the State of New York. He has served and helped many organizations and families for many years. On behalf of my community and my State, I hope Sen. Spano can continue to provide aid and help to these communities for many years to come.

With Respect,

A handwritten signature in black ink, appearing to read 'Ken Barrios', with a stylized flourish at the end.

Ken Barrios

March 6, 2012

The Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Dear Judge Seibel,

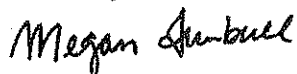
I am writing to plead for your leniency when sentencing Nick Spano.

I first met Mr. Spano at the age of 22. I was right out of college with political aspirations to spare. At first I was intimidated to meet a man of his political history and standing with accolades from every community group, organization and citizen in Yonkers. However, after our first meeting it was clear to me that Mr. Spano was an extremely special individual. He combines the savvies needed of a political powerhouse with the heart, character and selflessness of a truly great man.

It would be easy for someone with Mr. Spano's reputation and achievements to consider their responsibility to the community over after decades of service. However, he has never stopped. Time and time again, Mr. Spano has proven his dedication to not only City of Yonkers but also every person in it, no matter socioeconomic background or vulnerability. He is one of the most influential people in every child at the Westchester School for Special Children lives. Without his devotion and kindheartedness, the school would not be able to tend to the very diverse needs of the children as tactfully and efficiently as they do. Also his personal involvement, from spearheading fundraising efforts to attending the school's annual graduation ceremony, reaches the children in a way that touches their lives forever.

Mr. Spano has singlehandedly showed me what it means to be a man of the people. With this in mind, I am respectfully urging you to sentence him with leniency. Mr. Spano embodies good will and generosity and I hope you will take this in account while making your decision.

Sincerely,



Megan Turnbull

**Building and Construction Trades Council  
of Westchester and Putnam Counties, New York**

*Affiliated with the A.F.L. - C.I.O.*

EDWARD DOYLE  
PRESIDENT

258 SAW MILL RIVER ROAD, ELMSFORD, NEW YORK 10523  
(914) 592-1235  
FAX (914) 592-0356



PETER CREEGAN  
VICE-PRESIDENT

DARIO BOCCAROSSA  
SECRETARY-TREASURER

March 2, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Dear Judge Seibel:

I am the President of the Westchester-Putnam Counties Building and Construction Trades Council, AFL-CIO. This organization is composed of 32 Construction Unions with jurisdiction in Westchester and Putnam Counties, and represents the interests of over 32,000 Union construction workers.

I have been advised that former State Nick Spano has pleaded guilty to a tax related charge. I am personally distressed by this turn of events.

Senator Spano has been a friend and ally of the working men and women that reside in Westchester County for over twenty years. As an important State Senator, he has supported vital legislation, and has always been available to address the needs of the members of this organization.

I have been a close personal and business associate of Senator Spano during his entire career of public service. I have had many personal dealings with Sen. Spano and found him to be concerned and committed to the betterment of the citizens of Yonkers and Westchester County. I strongly believe that Sen. Spano has served the community exceptionally well during his tenure as a State Senator and deserves leniency in his sentencing.

**AFFILIATES**

ASBESTOS WORKERS LOCAL 91; BOILERMAKERS LOCAL 5; BRICKLAYERS & ALLIED CRAFTS LOCAL 5; BRIDGE PAINTERS LOCAL 806; CEMENT MASONS LOCAL 780; DERRICKMEN & RIGGERS LOCAL 197; DOCK BUILDERS LOCAL 1456; ELECTRICIANS LOCALS 3, 363; ELEVATOR CONSTRUCTORS LOCAL 1; EMPIRE STATE REGIONAL COUNCIL OF CARPENTERS LOCAL 11; GLAZIERS LOCAL 1281; IRON WORKERS DISTRICT COUNCIL; IRON WORKERS LOCALS 40, 417, 580; LABORERS LOCALS 60, 235; LATHERS LOCAL 46; METAL POLISHERS LOCAL 8A-28A; MILLWRIGHTS LOCAL 740; OPERATING ENGINEERS LOCALS 15, 30, 137; PAINTERS DC 9; PLASTERERS LOCAL 530; PLUMBERS & STEAMFITTERS LOCAL 21; RESILIENT FLOOR COVERERS LOCAL 2287; ROAD SPRINKLER FITTERS LOCAL 669; ROOFERS & WATERPROOFERS LOCAL 8; SHEET METAL WORKERS LOCAL 38, 137; STEAMFITTERS LOCAL 543; TEAMSTERS LOCALS 456, 813, 814; TILE, MARBLE & TERRAZZO BAC LOCAL 7

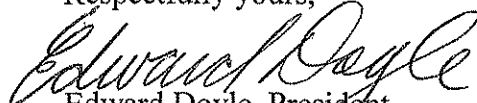
Honorable Cathy Seibel  
March 2, 2012

On numerous occasions Sen. Spano took time from his busy schedule to meet and speak with members of this organization at Union meetings or at face-to-face meetings when necessary. Sen. Spano has attended many of the rallies that have been held over the years in support of legislation to assist working men and women of this area. He joined in our support of the victims of 9-11 and was instrumental in having legislation passed to help those who suffered debilitating illnesses as the result of their contributions to the 9-11 clean up.

Sen. Spano is deserving of your consideration in determining an appropriate lenient sentence so that he can continue to assist those in need.

Please feel free to contact me should you require additional information.

Respectfully yours,

  
Edward Doyle, President

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

677 Broadway, Albany, NY 12207-2996

Tel: 518.449.8893 Fax: 518.449.8927

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March 5, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Re: Nicholas Spano

Dear Judge Seibel:

My name is Sam NeJame, I am a partner at the law firm of Wilson Elser Moskowitz Edelman & Dicker. I have known Nick Spano for nearly twelve (12) years. I first met Nick during my representation of Westchester County as their government affairs counsel. At that time, Nick was the New York State Senator from Westchester County and the dean of that delegation.

Immediately, I was impressed with Nick's understanding of the issues impacting the County, his thoughtfulness in working through those issues and his willingness to advocate on behalf of the County's concerns. Equally as impressive was his desire to do so without regard to political affiliation. Though Nick was a republican and my client, County Executive Andrew Spano, was a Democrat, Nick never allowed politics to cloud their relationship or the issues.

Since that time, I have had the opportunity to work with Nick, both as a legislator and as a lobbyist on numerous occasions. In those interactions, he has always been open, honest and genuine. Based upon my knowledge of Nick Spano, both as a professional and a person, I believe a lenient disposition by the Court is warranted.

Thank you for your consideration on this matter. Should you have any questions or need to discuss this matter further, please do not hesitate to contact me.

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

  
Samir S. NeJame, Esq.



**SAVE LIVES NOW NEW YORK FOUNDATION**

c/o Schiff Hardin, LLP  
666 Fifth Avenue - 16<sup>th</sup> floor  
New York, NY 10103

May 24, 2012

Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Dear Judge Seibel,

My name is Rocco Andriola, Esq., and I am the Co-Founder and Co-Chairman of Save Lives Now New York Foundation ("SLNNY"), a not-for-profit organization. SLNNY is the only organization in New York State focused on developing innovative public policy initiatives to increase the supply of organs available for life-saving transplants. The Board of Directors of SLNNY is comprised of, among others, the heads of the transplant departments at all of the major hospitals in the New York metropolitan area.

By way of background, there are currently over 10,000 New Yorkers on the organ wait list in literally a "life-and-death" waiting game. Unfortunately, while our state has the second largest wait list in the country, New York is second from the bottom in the nation in residents who have registered to be organ donors. With a 5-8 year wait for a kidney, New Yorkers are forced to travel to other states and around the world in a desperate attempt to obtain an organ. SLNNY was created in 2010 to work with enlightened legislators to address the severe organ shortage crisis we are faced with in New York.

Senator Spano was involved from the start in helping us develop our legislative strategy and has been working with us throughout our existence. I remember when Senator Spano attended in person our inaugural Board meeting to address the directors and pledged his firm's expertise and support in helping us pass laws to save lives. Our executive team and Board members were frankly shocked that SLNNY, as a small start-up organization, could be so fortunate to have Senator Spano and Empire Strategic Planning in our corner.

As a result of Senator Spano's support, we are extremely close to passing in this current New York State legislative session a bill called "Lauren's Law" which involves "mandated choice." The law would require a person applying for or renewing a driver's license or registering to vote to answer the question of whether they would like to be an organ donor by checking one of two boxes: either "yes" or "not at this time." A similar law has passed in California with another comparable bill pending in Denmark. I can



personally assure you that without Senator Spano, New York State would not be weeks away from enacting landmark legislation in the area of organ donation.

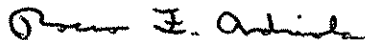
All of the work performed by Senator Spano and his firm has been purely on a pro bono basis. He has always provided SLNNY with the same high quality level of advice, support and attention that a paying, for-profit client receives and has never asked for a penny in return.

Senator Spano is a warm, decent and caring person. Although I understand that he has pleaded guilty to a tax-related charge, I respectfully urge you to be as lenient as you possibly can be. Please consider the complete picture and the totality of all the good things he has done and how he has touched countless lives with his work on behalf of SLNNY. It is important for you to know that over 10,000 New Yorkers on the transplant waiting list are relying on Senator Spano's legislative experience and skills to help them get a second chance at life by obtaining a life-saving transplant.

It has been a privilege to work with Senator Spano over the last several years, and I sincerely hope that you are lenient in your sentence so that he can put this one unfortunate episode behind him which would allow him to continue to add to a lifetime of good deeds.

If you would like to speak with me regarding Senator Spano, please do not hesitate to contact me at (212) 708-4693.

Sincerely,



Rocco F. Andriola, Esq.  
Co-Founder & Co-Chairman,  
Save Lives Now New York Foundation



**RICHMOND  
COMMUNITY  
SERVICES**

Edward Spauster, Ph.D.  
*President & CEO*

May 21, 2012

The Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
300 Quarropas St.  
White Plains, NY 10601

Dear Judge Seibel:

I am the President/CEO of Richmond Community Services, a non-profit organization in Westchester County that has served adults and children with developmental disabilities for almost forty years. Aware that Senator Nick Spano will soon be appearing before you in a sentencing hearing, I am writing to request that Senator Spano be considered for community service at Richmond as part of his sentence. Richmond Community Services and the citizens of New York with developmental disabilities, particularly those with the most profound intellectual and medical challenges, are facing a crisis that our field has not seen since the dark days of the Willowbrook expose. We have an urgent need to prepare for changes in the delivery of services that are fast-approaching and to ensure that our most vulnerable community members are not forgotten or neglected. Senator Spano has the skills and knowledge that would greatly assist us.

Throughout his career, Senator Spano has been the leading advocate in the region, if not the state, for citizens with developmental disabilities and their families. Senator Spano has been a support to and an advocate for Richmond Community Services throughout this time and his efforts have not only ensured enhanced our services but ensured our viability. There are few people in New York outside of the state and non-profit agencies who know more about developmental disabilities services than Senator Spano and no one within the provider system who comes close to understanding the financial and political dimensions of services as Senator he does. Since Senator Spano left the New York State Senate, advocates for people with disabilities have noted what a loss this has been for our cause.

Richmond Community Services has a specific need for Senator Spano's expertise in its advocacy for people with profound intellectual and medical disabilities. Throughout its history, Richmond has been a unique agency because it serves medically fragile people with developmental disabilities that many agencies cannot provide services to. Within the population of people with developmental disabilities, these individuals are the most vulnerable – they often lack speech and independent mobility; have delicate skeletal, respiratory and digestive systems; and, often have little or no family support. Some of those we support have faced these challenges from their births or early years; others have found that aging significantly diminished their physical capacities.



Richmond provides life-long services for these vulnerable people, keeping them healthy and involving them in the community around them. Unfortunately, those we serve need constant advocacy. They lack a significant parent-based organization, are not the "typical" persons with developmental disabilities who may find meaningful employment and require an expensive level of care to lead a quality life. Without Richmond, many of those we serve would be relegated to nursing homes - residences that are not designed for people of all ages, provide little community involvement and know little about developmental disabilities. Richmond tries to divert people from nursing homes and provide a real home to those who are inappropriately placed in them (please see attached case examples).

The developmental disabilities system in New York, supported almost exclusively by Medicaid through the NYS Office for People with Developmental Disabilities (OPWDD), is being redesigned. Coping with a New York Times series of articles on abuse and neglect in OPWDD facilities, a Poughkeepsie Journal series questioning the proper use by the state of federal Medicaid dollars designated for developmental disabilities, concerns about the fiscal viability of the state Medicaid program and numerous budget cuts to its office and its non-profit providers, OPWDD is developing a proposal for approval by the federal Center for Medicare and Medicaid Services (CMS) that will give significant clinical and financial decision-making authority to private managed care corporations. Currently most people with developmental disabilities have independent service coordinators responsible for care coordination. The new system will also delegate this key function to the same managed care entities.

There are two challenges facing Richmond today: protection of the most vulnerable and adequate resources to serve them. People with the greatest needs, particularly if those needs are expensive to meet, are most threatened in an environment where care is managed by a private entity concerned about its bottom line because it is being paid the same annual rate for every enrollee, regardless of level of disability and medical fragility. Protecting their safety, their health and their freedom to participate in the community is paramount to Richmond's mission.

Ensuring that Richmond can maintain an experienced, knowledgeable staff that work in a modern facility and have the best technology available is critical to serving those who need us. Adding new services to meet the expanding needs of an aging developmental disabilities population will allow for more nursing home diversion. For example, there is only one developmental disability site in the OPWDD service system that has beds for people needing ventilator support and it is in Utica. The lack of ventilator services (which may be needed for short or long periods of time) in the community prolongs hospital stays and often forces people with developmental disabilities into nursing homes, sometimes permanently.

Senator Spano's community service work with Richmond would include the following:

1. Conducting a study of the medically fragile individuals we serve for the purpose of developing our "case for support". This creation of this case would involve meeting with staff and family members to identify the key issues and potential solutions. It will require research into the new state funding mechanisms, the rights and protections ensured by the state and federal governments, and the opportunities for government funding. The study itself would be the foundation of an advocacy campaign.
2. Working with Richmond's senior managers and parent leaders to develop and implement an advocacy campaign. Reaching out to elected and non-elected state officials: informing them of the needs of those we serve and of the many throughout the state with the same needs;



facilitating meetings between officials and Richmond representatives; and, bringing officials to Richmond to meet the people we serve.

3. Working with the Operations and Development departments to create an assessment of the physical plant and medical technology needs of our facility at 919 North Broadway in Yonkers, which is a 78-bed Intermediate Care Facility (ICF). This site provides medical, nursing, rehabilitative and personal care services to persons with developmental disabilities with medical fragility while maintaining resident participation in day program services and community events in various sites throughout Westchester and New York City.
4. Working with the Richmond Community Services Foundation to increase public awareness of Richmond Community Services and its mission. With our largest site being located in Yonkers, Richmond is particularly interested in raising our profile in that community, one that Senator Spano knows well, by establishing relationships with media as well as local organizations, government officials and businesses.
5. Working with the Foundation to identify and meeting with those members of the Westchester community who could provide support to Richmond through grants, contributions and services (e.g., Richmond has a great need for a steady force of volunteers).

In these financially challenging times it is imperative that non-profit organizations serving our most disadvantaged and vulnerable services actively reach out to their communities for recognition and support. This is no small task. Non-profit organizations are most comfortable providing their core services and feel an obligation to devote their time and resources to service delivery. Non-profits serving people with disabilities are generally locally based, funded by Medicaid and do not have the expertise in (nor the resources to hire experts in) communications, political strategy and community organizing.

I believe Senator Spano has much to offer Richmond Community Services and all New Yorkers with developmental disabilities. His time would be extremely well-spent in a community service project such as the one proposed in this letter that taps into his numerous skills and serves the people with developmental disabilities and their families who have held and will always hold him in the highest regard.

Thank you for your consideration of this proposal. If I can be of any assistance in your review of it, please do not hesitate to contact me.

Sincerely,



Edward Spauster, Ph.D.

Cc: David Brenner, Chairperson of Richmond Community Services Board of Directors

**Recent Nursing Home Experiences of Five New Yorkers with Intellectual/Developmental Disabilities****Mr. D.**

Mr. D is a young man in his thirties, who lived with his grandmother until her death. When she died, Mr. D. had no place to go and was admitted to a nursing home. He's been there for over three years now and will be moving into a Richmond group home in July. Mr. D. has autistic spectrum disorder and is assessed by the nursing home to have "inappropriate behavior". It is unclear what inappropriate behavior is being observed and there is no evidence of any problem behaviors in the nursing home documentation. He lives on the psychiatric ward, on a unit that has a 50-feet long hallway that leads to a living/dining room. That is where he spends his time. He walks up and down this hallway, and then sits in the living room. Mr. D. has gone out of the building only twice in two years and that was to doctor's appointments. There is a patio for the ward that is used by smokers only and they are allowed to go out once/day to smoke. Mr. D. doesn't smoke, so he is not allowed on the patio. No day program or any other activity, just a 50-feet long hallway to walk up and down. Mr. D. can read and write.

**Ms. S.**

Ms. S. is in her late forties, with diagnoses of autism and a psychiatric disorder. Ms. S. once lived in a group home, was able to walk and had a great deal of functional abilities. Due to a bad reaction to psychotropic medications, Ms. Z. was hospitalized; she lost the ability to walk and is now using a wheelchair. She could not return to her group home and she was admitted to a nursing home following her hospitalization. There she spent over a year in her room, only getting out of bed once or twice each day to be placed in a GeriChair (geriatric wheelchair) that did not leave the room. Ms. Z. was allowed to go to a dining room only if she was "good" (i.e., if she had no problem behaviors). Ms. Z. managed to be good only twice in over a year. She was not engaged in any activity and simply spent her day in the bed staring at the ceiling. She only went out to doctor's appointments, and that was the only time that she was dressed in regular clothes instead of hospital gowns. Because of strong advocacy by her mother, (who created a video about Ms. Z.'s plight and uploaded it on YouTube), Ms. Z now lives at a Richmond ICF, attends day program and travels in the community.

**Mr. M.**

Mr. M. is in his fifties, and once had the ability to walk, speak and take care of his ADLs. As a result of his seizure disorder, Mr. M had numerous seizures that left him unable to walk or perform any functional activities. He could not go back to his group home and was admitted to a nursing home. There he spent days in his bed, only to go into his GeriChair three times/week if and only if the nursing home staff could find a sling for the mechanical lift. He would be up for one hour and then go back to bed. Mr. M. was not involved in any activity and never left his room. He left the nursing home three times, two trips to the hospital and one to a doctor's appointment. Mr. M. had no wheelchair of his own, so he used the nursing home's chair. He had no clothes, so he was always dressed in a hospital gown. So concerned was Richmond about his transfer, that it sent an occupational therapist to the nursing home to supervise his transfer out of bed and transit to his new Richmond home.



**Mr. W.**

Mr. W. is a young man in his twenties and it is unclear how he landed in a nursing home. When he came to live at Richmond, staff had to spend several hours bathing him, removing long-standing incrustations of filth from his feet, cutting nails and grooming him to a hygienic and dignified appearance. He was in a nursing home for several years without involvement in any activity; just left in his room in bed most of the day. Mr. W has no challenging behaviors; he is unable to move any part of his body and receives nourishment via G-tube.

**Mr. S.**

Mr. S. is in his thirties. He was brought to a nursing home because his caregiver father was admitted there and Mr. S. had no place to stay. When his father passed away, Mr. S remained in the nursing home. He spent his days in his room lying on the bed or going to dining room for meals. He was not involved in any activity, nor did he go out into community. He only left the nursing home to go to the doctor. He came to Richmond with a long list of nursing home prescribed psychotropic medications. After careful psychiatric assessment, all but one of these medications were eliminated. The last one is scheduled to be discontinued in a few months. Mr. S. is ambulatory, able to converse and play board games and will soon learn to operate the house computer. With proper supports, Mr. S will eventually join the workforce.

***Pamela Dingee  
75 Manhattan Avenue  
Yonkers, NY 10710***

Dear Judge Siebel,

While I realize that Nick Spano may have made a mistake, I cannot help but think about all the good he has done. I need only to look at my son Jimmy's face at the mention of his name. He lights up! Nick has been a good friend to Jimmy who has Cerebral Palsy and is confined to a wheelchair. Jimmy cannot speak but when Nick walks into a room his smile and laughter says it all.

Over the years, we have seen Nick devote countless hours to raising money for the different organizations, so they could have what they needed to serve this population. It takes a special kind of person to do this and to do it consistently year after year.

Jimmy also goes to a day program at Richmond Community Center where Nick served on the Board of Directors.

Nick has been a champion to the special needs community for a long time. Champions do not come along every day especially for these people. Just come and ask Jimmy and see the joy when you mention Nick Spano.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Dingee". The ink is dark and the signature is fluid.

Pamela Dingee